**COLLIER COUNTY**
**Collier County Hearing Examiner**

# AGENDA

Growth Management Department
Conference Rooms 609/610
2800 Horseshoe Drive North
Naples, FL 34104

**June 10, 2021**

**9: 00 AM**

**Andrew W. J. Dickman, Esq., AICP**
**Hearing Examiner**

Note: Individual speakers will be limited to 5 minutes unless otherwise waived by the Hearing Examiner. Persons Wishing to have written or graphic materials included in the hearing report packets must have that material submitted to County staff at Thomas.Clarke@CollierCountyFL.gov 10 days prior to the Hearing. All materials used during presentation at the hearing will become a permanent part of the record.

Any person who decides to appeal a decision of the Hearing Examiner will need a record of the proceedings pertaining thereto, and therefore may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Decisions of the Hearing Examiner are final unless appealed to the Board of County Commissioners.

Hearing Procedures will provide for presentation by the Applicant, presentation by staff, public comment and applicant rebuttal. The Hearing Examiner will render a decision within 30 days. Persons wishing to receive a copy of the decision by mail may supply County staff with their name, address, and a stamped, self-addressed envelope for that purpose. Persons wishing to receive an electronic copy of the decision may supply their email address.

**1. Pledge of Allegiance**

**2. Review of Agenda**

**3. Advertised Public Hearing**

**A. PETITION No. BDE-PL20190000674 - Request for an after-the-fact 4.4-foot boat dock extension and boathouse over the maximum 20 feet allowed by Section 5.03.06.E.1 of the Collier County Land Development Code for waterways 100 feet or greater in width, to allow a boathouse and boat docking facility with two boat slips each with a boat-lift, one for a 19-foot vessel and the other for two personal watercraft, to protrude a total of 24.4 feet into a 900± feet wide waterway for the benefit of property described as Lot 151, Isles of Capri No. 2, also described as 166 Tahiti Circle, in Section 32, Township 51 South, Range 26 East, Collier County, Florida. [Coordinator: John Kelly, Senior Planner] Commission District 1**

**B. PETITION No. VA-PL20200001291 - Request for an after-the-fact variance from Section 4.02.01.A., Table 2.1, of the Collier County Land Development Code to reduce the minimum side yard setback from 7.5 feet to 7.35 feet for a single family dwelling and to reduce the minimum front yard setback from 25 feet to 21.69 feet for the attached covered entrance and to 19.69 feet for the roof overhang, for property located on Lot 82, Isles of Capri No. 1, also described as 41 Pelican Street West, in Section 31, Township 51 South, Range 26 East, Collier County, Florida. [Coordinator: John Kelly, Senior Planner] Commission District 1**

**C. PETITION No. PL20200001952 - Request for an insubstantial change to the Hammock Park Mixed-Use Planned Unit Development (MPUD), Ordinance No. 04-68, as amended, to allow a temporary off-premises directional sign up to 10 feet in height, 64 square feet in area, and 1,320± feet from the subject McMullen MPUD, Watercrest Assisted Living Facility, to approve deviations increasing the permissible height, size, and distance of said sign, and to update PUD and CPUD references to MPUD, located on 19± acres at the northeast corner of the intersection of Collier Boulevard (CR-951) and Rattlesnake Hammock Road in Section 14, Township 50 South, Range 26 East, Collier County, Florida. [Coordinator: John Kelly, Senior Planner] Commission District 1**

**D. PETITION No. PL20210000192 - Request for approval of a Comparable Use Determination whether the proposed use of hospital administration and allied service, limited to business offices, management, accounting, records retention, and blood banking, is comparable in nature with the permitted uses in Section 3.3.A, Naples Daily News Business Park Planned Unit Development (BPPUD), Ordinance No. 06-49, as amended, within Parcel A, BPPUD, located at 1100 Immokalee Road in Section 27, Township 48 South, Range 25 East, Collier County, Florida. [Coordinator: John Kelly, Senior Planner] Commission District 2**

**4. Other Business**

**5. Public Comments**

**6. Adjourn**

**COLLIER COUNTY**
**Collier County Hearing Examiner**

**Item Number:** 3.A
**Item Summary:** PETITION No. BDE-PL20190000674 - Request for an after-the-fact 4.4-foot boat dock extension and boathouse over the maximum 20 feet allowed by Section 5.03.06.E.1 of the Collier County Land Development Code for waterways 100 feet or greater in width, to allow a boathouse and boat docking facility with two boat slips each with a boat-lift, one for a 19-foot vessel and the other for two personal watercraft, to protrude a total of 24.4 feet into a 900± feet wide waterway for the benefit of property described as Lot 151, Isles of Capri No. 2, also described as 166 Tahiti Circle, in Section 32, Township 51 South, Range 26 East, Collier County, Florida. [Coordinator: John Kelly, Senior Planner] Commission District 1

**Meeting Date:** 06/10/2021

---

**Prepared by:**
Title: Planner – Zoning
Name: John Kelly
05/21/2021 4:28 PM

**Submitted by:**
Title: Planner, Principal – Zoning
Name: Anita Jenkins
05/21/2021 4:28 PM

---

**Approved By:**

Review:

| | | | | |
|---|---|---|---|---|
| Growth Management Operations & Regulatory Management | Kenneth Kovensky | | Review Item | Completed |
| Hearing Examiner (GMD Approvers) | Diane Lynch | Review Item | Completed | 05/24/2021 4:13 PM |
| Zoning | Ray Bellows | Review Item | Completed | 05/24/2021 5:30 PM |
| Zoning | Anita Jenkins | Zoning Director Review | Completed | 05/25/2021 9:00 AM |
| Hearing Examiner | Andrew Dickman | Meeting Pending | 06/10/2021 9:00 AM | |

# STAFF REPORT

**TO:** COLLIER COUNTY HEARING EXAMINER

**FROM:** GROWTH MANAGEMENT DEPARTMENT
ZONING DIVISION- ZONING SERVICES SECTION

**HEARING DATE:** JUNE 10, 2021

**SUBJECT:** BDE-PL20190000674, 166 TAHITI CIRCLE DOCK FACILITY

---

**PROPERTY OWNER/APPLICANT:**

Robert Moses, Amy Moses, and
Amy Taylor
166 Tahiti Cir.
Naples, FL 34113

**AGENT:**

Jeff Rogers
Turrell, Hall & Associates, Inc.
3584 Exchange Ave.
Naples, FL 34104

**REQUESTED ACTION:**

The petitioners request an after-the-fact boathouse and 4.4-foot boat dock extension over the maximum 20 feet allowed by Section 5.03.06.E.1 of the Land Development Code for waterways 100 feet or greater in width, to allow a boathouse and boat docking facility with two boat slips each with a boat-lift, one for a 19-foot vessel and the other for two personal watercraft, to protrude a total of 24.4 feet into a 900± feet wide waterway for the benefit of the subject property.

**GEOGRAPHIC LOCATION:**

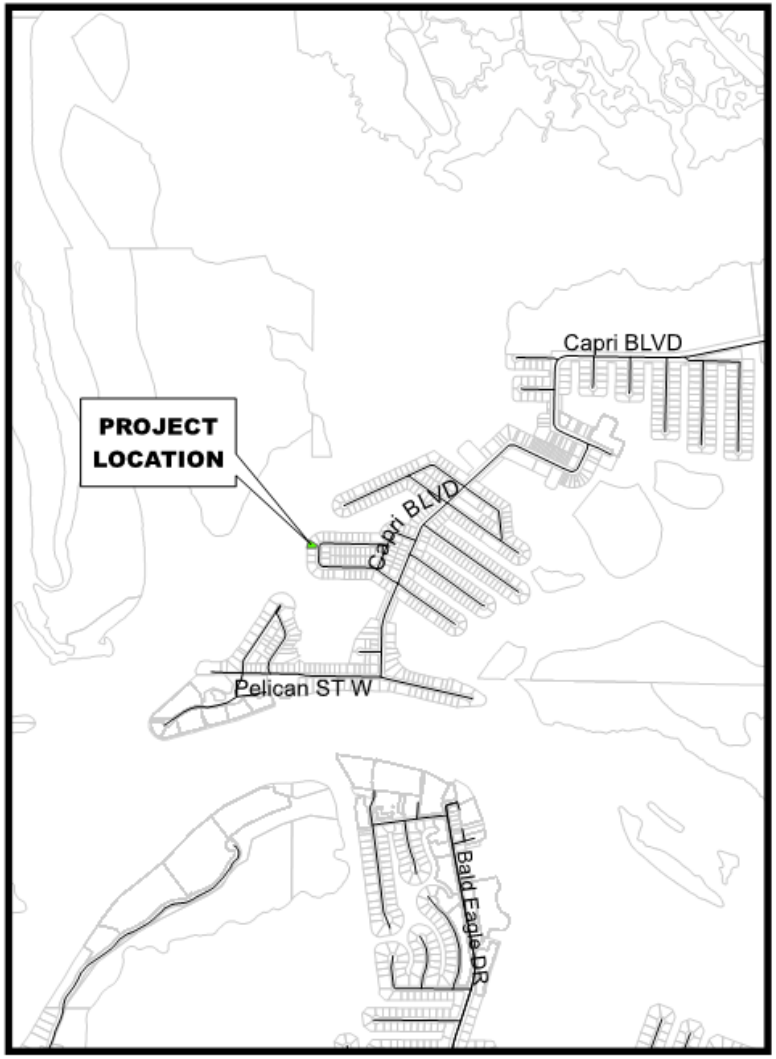
The subject property is located at 166 Tahiti Circle, further described as Lot 151, Isles of Capri No 2, in Section 32, Township 51 South, Range 26 East, Collier County, Florida. *(See location map on the following page)*

**PURPOSE/DESCRIPTION OF PROJECT:**

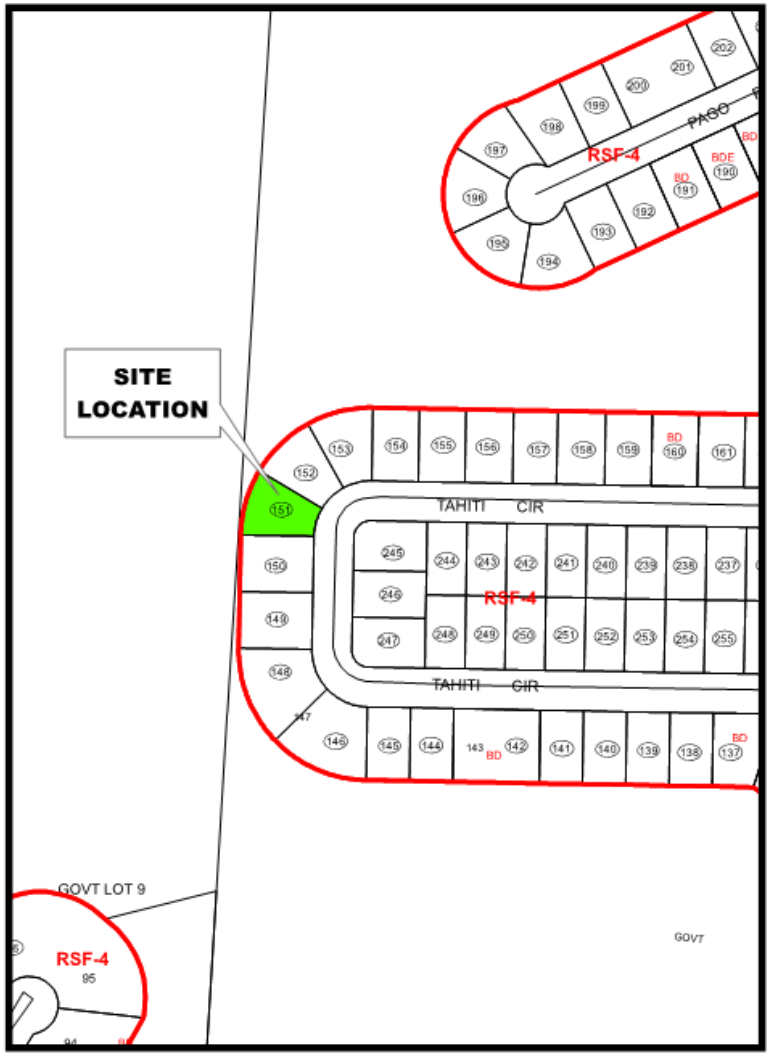
The subject property is within a Residential Single-Family – 4 (RSF-4) zoning district and supports a single-family dwelling. The existing boathouse and dock were re-built, having been destroyed by Hurricane Irma, after having obtained a building permit (No. PRBD20180104701) to do so. Upon completion of construction it was determined that the maximum allowable protrusion of 20 feet had been exceeded by 4.4 feet as measured from the most restrictive point, the property line as per LDC Section 5.03.06.C.1. Said boathouse measures 13.8 feet by 20 feet and only covers the primary slip. The dock facility satisfies the 15-foot side yard requirement for lots of 60 feet or greater in width. Approval of this BDE is required for the issuance of a Certificate of Completion.



Attachment: Staff Report BDE-PL20190000674 051921 (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses / Taylor)




Location Map




Zoning Map

Petition Number: PL20190000674

Attachment: Staff Report BDE-PL20190000674 051921 (16019 : PL20190000674 BDE 166 Tahiti Circle -

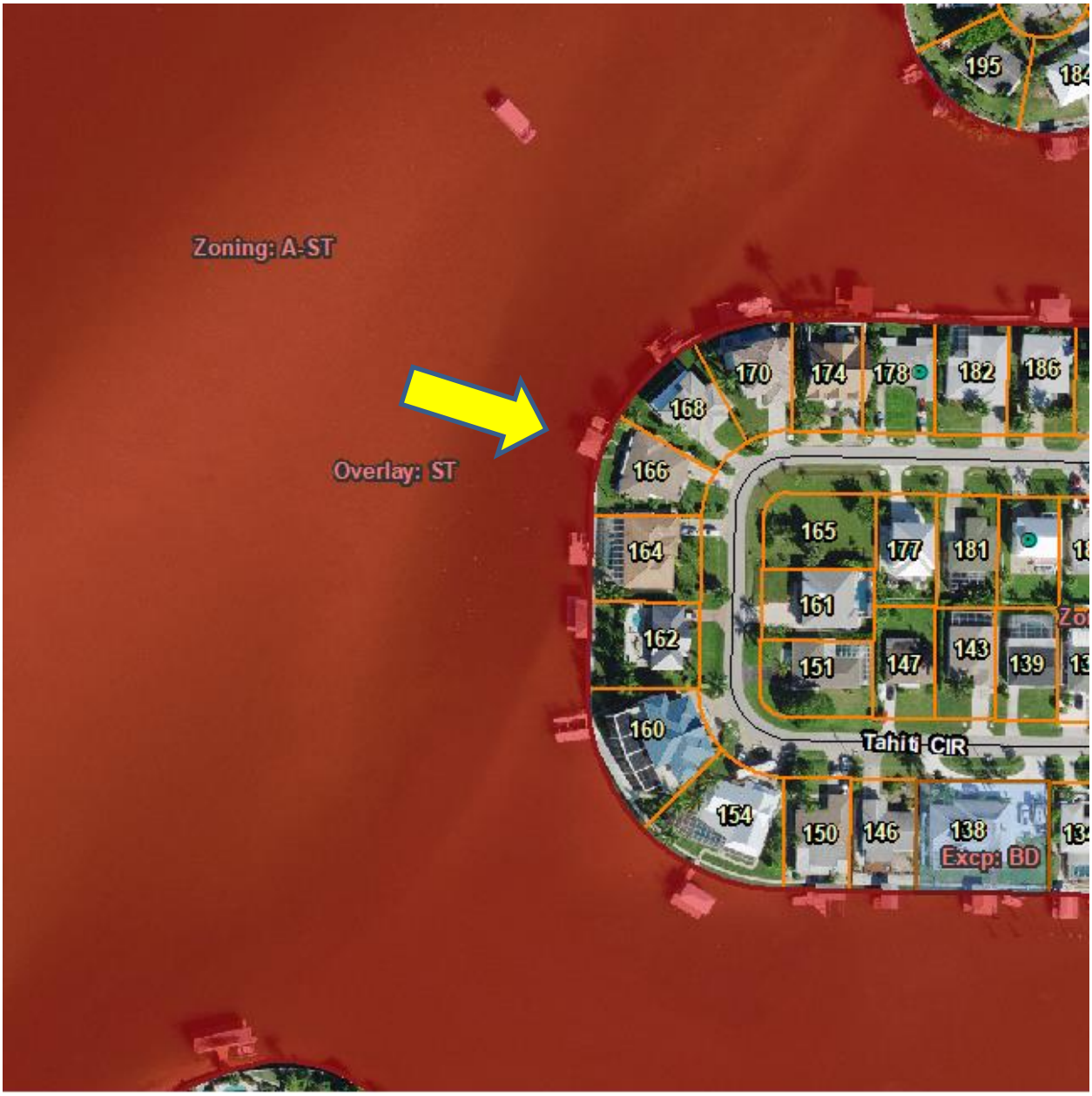
## SURROUNDING LAND USE & ZONING:

**North:** Single-family dwelling, Residential Single-Family-4 District (RSF-4)

**East:** Tahiti Circle Right-of-Way, then improved/unimproved Residential Single-Family-4 District (RSF-4)

**South:** Single-family dwelling, Residential Single-Family-4 District (RSF-4)

**West:** Johnson Bay, Rural-Agricultural District within a Special Treatment Overlay (A-ST)




***Collier County – GIS***

Attachment: Staff Report BDE-PL20190000674 051921 (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses / Taylor)

## ENVIRONMENTAL EVALUATION:

Environmental Planning Staff has reviewed this petition and has no objection to the granting of this request. The property is located adjacent to an ST overlay zone (Johnson Bay), which will require an ST-permit for the proposed docking facilities prior to issuance of the building permits. The proposed docking facilities will be constructed waterward of the existing seawalled shoreline. The shoreline does not contain native vegetation. A submerged resources survey provided by the applicant found no submerged resources in the area 200 feet beyond the proposed docking facility. Exhibit sheet 9 of 10 provides an aerial with a note stating that no seagrasses were observed within 200 feet. This project does not require an Environmental Advisory Council Board (EAC) review, because this project did not meet the EAC scope of land development project reviews as identified in Chapter 2, Article VIII, Division 23, Section 2-1193 of the Collier County Code of Laws and Ordinances.

## STAFF ANALYSIS:

In accordance with LDC Section 5.03.06.H., the Collier County Hearing Examiner shall approve, approve with conditions, or deny a dock facility extension request based on certain criteria. In order for the Hearing Examiner to approve this request, at least four of the five primary criteria and four of the six secondary criteria must be met:

### Primary Criteria:

1. **Whether the number of dock facilities and/or boat slips proposed is appropriate in relation to the waterfront length, location, upland land use and zoning of the subject property. Consideration should be made of property on unbridged barrier islands, where vessels are the primary means of transportation to and from the property. (The number should be appropriate; typical single-family use should be no more than two slips; typical multi-family use should be one slip per dwelling unit; in the case of unbridged barrier island docks, additional slips may be appropriate.)**

   Criterion met. The property is located within a residential single-family zoning district and comprises a single boat dock facility with two boatlifts, each establishing a slip; one to accommodate a 19-foot vessel and the other two personal watercraft. The proposed dock protrudes 24.4 feet, dock, and vessel combination, from the property line which has been identified as the most restrictive point per LDC Section 5.03.06.C.1.

2. **Whether the water depth at the proposed site is so shallow that a vessel of the general length, type and draft as that described in the petitioner's application is unable to launch or moor at mean low tide (MLT). (The petitioner's application and survey should establish that the water depth is too shallow to allow launching and mooring of the vessel(s) described without an extension.)**

   Criterion not met. The applicant's agent states that the plotted property line is located on the landward side of the seawall and there is riprap along the seawall further restricting where a boatlift could be installed, therefore a BDE would be required for any proposed dock and boatlift.



Attachment: Staff Report BDE-PL20190000674 051921 (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses / Taylor)

Staff does not disagree with the applicant; however, finds that they failed to specifically address the criterion with respect to water depth. Although the applicant has provided a cross section providing the MHW and MLW measures it does not demonstrate how the vessel/PWC are impacted.

3. **Whether the proposed dock facility may have an adverse impact on navigation within an adjacent marked or charted navigable channel. (The facility should not intrude into any marked or charted navigable channel thus impeding vessel traffic in the channel.)**

Criterion met. The as-built boat dock does not protrude into a marked navigable channel and is consistent with other docks along the subject shoreline.

4. **Whether the proposed dock facility protrudes no more than 25 percent of the width of the waterway, and whether a minimum of 50 percent of the waterway width between dock facilities on either side is maintained for navigability. (The facility should maintain the required percentages.)**

Criterion met. The as-built dock facility protrudes 24.4-feet into a waterway that is 900± feet wide which is approximately 3.3% of the width of said waterway.

5. **Whether the proposed location and design of the dock facility is such that the facility would not interfere with the use of neighboring docks. (The facility should not interfere with the use of legally permitted neighboring docks.)**

Criterion met. The existing dock facility provides 20.6-foot and 49-foot setbacks which is greater than the required 15-foot required side/riparian setback.

**Secondary Criteria:**

1. **Whether there are special conditions not involving water depth, related to the subject property or waterway, which justify the proposed dimensions and location of the proposed dock facility. (There must be at least one special condition related to the property; these may include type of shoreline reinforcement, shoreline configuration, mangrove growth, or seagrass beds.)**

Criterion met. The subject property line is a convex curve. LDC Section 5.03.06.C.1, measurement of dock protrusion, requires protrusion be measured from the most restrictive of several identified points; in this case, maximum protrusion is measured from the property line which is landward of the seawall. Additionally, the shoreline comprises a large rip-rap area that extends landward of the property line as evidenced by Building Permit No. PRBD20150723986; see attached, no plans available. Together, these conditions require the dock facility protrude further into the waterway to reach adequate water depths.

Attachment: Staff Report BDE-PL20190000674 051921 (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses / Taylor)

2. **Whether the proposed dock facility would allow reasonable, safe access to the vessel for loading/unloading and routine maintenance, without the use of excessive deck area not directly related to these functions. (The facility should not use excessive deck area.**

   Criterion met. The existing dock facility consists of 406 square feet of decking. The proposed dock facility provides sufficient decking for safe access to the vessel and two PWC's and further allows for other recreational activities such as fishing, kayaking, and paddle boarding.

3. **For single-family dock facilities, whether the length of the vessel, or vessels in combination, described by the petitioner, exceeds 50 percent of the subject property's linear waterfront footage. (The applicable maximum percentage should be maintained.)**

   Criterion not met. As depicted on the Proposed Aerial plan sheet the shoreline is 102± feet. The dock facility has been designed to accommodate a 19-foot vessel and two PWC's, therefore the 50-percent limitation has been exceeded.

4. **Whether the proposed facility would have a major impact on the waterfront view of neighboring property owners. (The facility should not have a major impact on the view of a neighboring property owner.)**

   Criterion met. The existing boathouse and boat dock facility are well within the required 15-foot side/riparian setbacks. Additionally, a review of aerial photography indicate that the subject property is located on a convex curve and that adjoining properties tend not to directly face said riparian lines.

5. **Whether seagrass beds will be impacted by the proposed dock facility. (If seagrass beds are present, compliance with subsection 5.03.06.J of the LDC must be demonstrated.)**

   Criterion met. The submerged resources survey reveals no seagrass beds are located within 200 feet of the proposed dock facility, there will be no impact to seagrass beds.

6. **Whether the proposed dock facility is subject to the manatee protection requirements of subsection 5.03.06(E)(11) of this Code. (If applicable, compliance with section 5.03.06(E)(11) must be demonstrated.**

   Criterion is not applicable. The provisions of the Collier County Manatee Protection Plan do not apply to individual docks behind individual residences.

Staff analysis finds this request complies with four of five of the Primary Criteria and four of the six Secondary Criteria one of which has been found to be not applicable.

**CONCURRENT LAND USE APPLICATIONS:**

Attachment: Staff Report BDE-PL20190000674 051921 (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses / Taylor)

There are no concurrent land use applications under review at the present time.

**APPEAL OF BOAT DOCK EXTENSION TO BOARD OF COUNTY COMMISSIONERS:**

As to any boat dock extension petition upon which the Hearing Examiner takes action, an aggrieved petitioner may appeal such final action to the Board of County Commissioners. Such appeal shall be filed with the Growth Management Department Administrator within 30 days of the Decision by the Hearing Examiner. In the event that the petition has been approved by the Hearing Examiner, the applicant shall be advised that he/she proceeds with construction at his/her own risk during this 30-day period. Any construction work completed ahead of the approval authorization shall be at their own risk.

**STAFF RECOMMENDATION:**

Based on the above findings, staff recommends that the Hearing Examiner APPROVE Petition BDE-PL20190000674, with the condition that an ST permit must be sought and approved prior to obtaining a Certificate of Completion for the boathouse and dock facility. Typically, ST permits are required at the time of permitting; however, in this case, an ST permit was not originally required as the dock facility was to be constructed within the same footprint as that previously approved by Permit No. PRBD20150825947. Any such approval is to be based upon the Proposed Aerial, sheet 03 of 10, contained within Attachment A and the As-Built Survey contained within Attachment B.

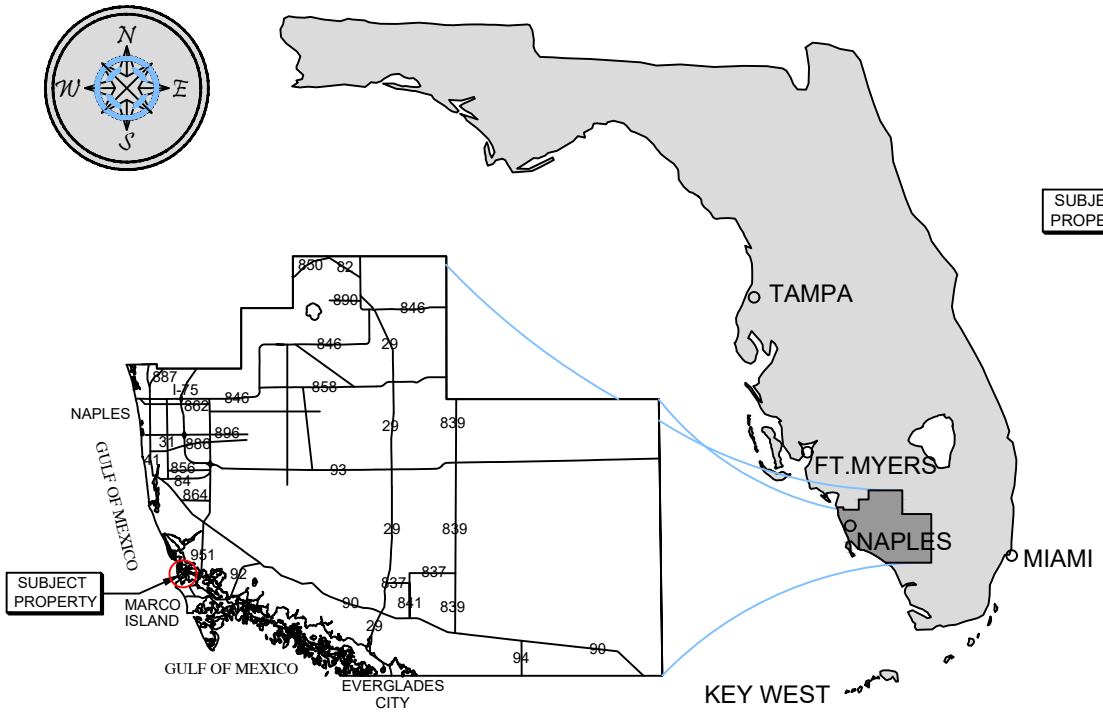
Attachments:

A) Dock Facility Plans
B) As-Built Survey
C) Public Hearing Sign Posting and Photos
D) Referenced Building Permits
E) Applicant's Backup; application and supporting documents
F) Hybrid Meeting Waiver

Attachment: Staff Report BDE-PL20190000674 051921 (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses / Taylor)

p:\19031.00 Imperial marine - 166 tahiti circle\CAD\PERMIT-COUNTY\19031-BDE.dwg LOCATION 3/15/2021

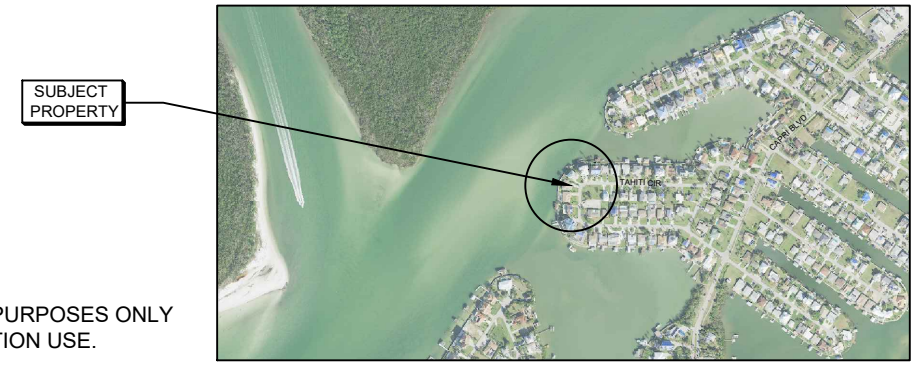
# STATE OF FLORIDA




## COLLIER COUNTY




## VICINITY MAP




## COUNTY AERIAL

**SITE ADDRESS:**
<> 166 TAHITI CIRCLE
NAPLES, FL 34113

**NOTES:**
<> THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.

<> LATITUDE: N 26.981449
<> LONGITUDE: W 81.733547

Turrell, Hall & Associates, Inc.
Marine & Environmental Consulting
3584 Exchange Ave. Naples, FL 34104-3732
Email: tuna@turrell-associates.com Phone: (239) 643-0166 Fax: (239) 643-6632

# 166 TAHITI CIRCLE

## LOCATION MAP

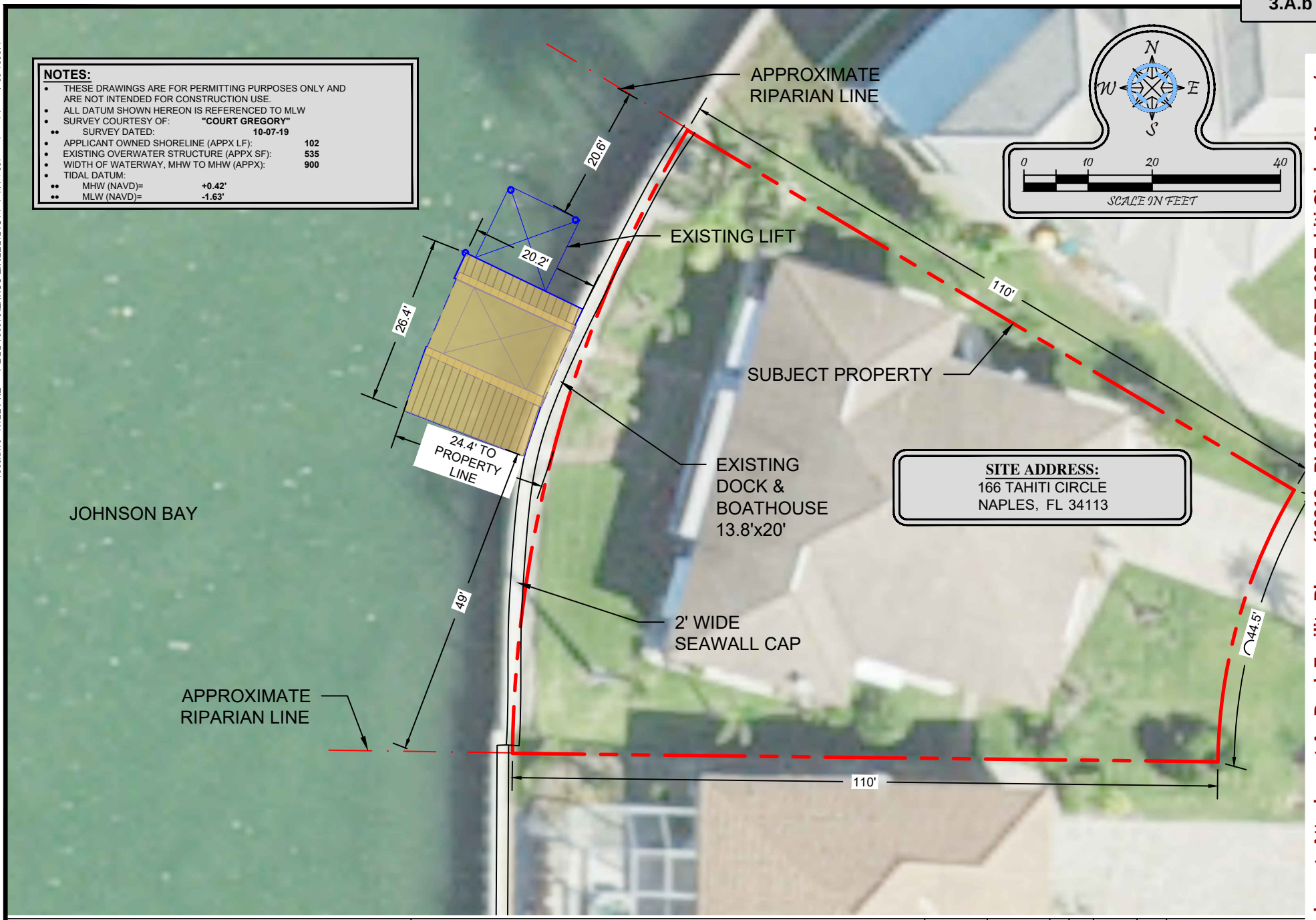
THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.

| | | REV#: | REV BY: | DATE: | CHK BY: | CHANGED: |
|---|---|---|---|---|---|---|
| DESIGNED: | JR | 1. | RMJ | 10-29-19 | JR | PAGES 01-09 |
| DRAWN BY: | RMJ | 2. | - | - | - | - |
| CREATED: | 06-17-19 | 3. | - | - | - | - |
| JOB NO.: | 19031 | 4. | - | - | - | - |
| SHEET NO.: | 01 OF 10 | 5. | - | - | - | - |

SECTION- 32 TOWNSHIP- 51 S

Attachment: Attachment A - Dock Facility Plans (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses /

p:\19031.00 imperial marine - 166 tahiti circle\CAD\PERMIT-COUNTY\19031-BDE.dwg EX AERIAL 3/15/2021




Turrell, Hall & Associates, Inc.
Marine & Environmental Consulting
3584 Exchange Ave. Naples, FL 34104-3732
Email: tuna@turrell-associates.com Phone: (239) 643-0166 Fax: (239) 643-6632

# 166 TAHITI CIRCLE

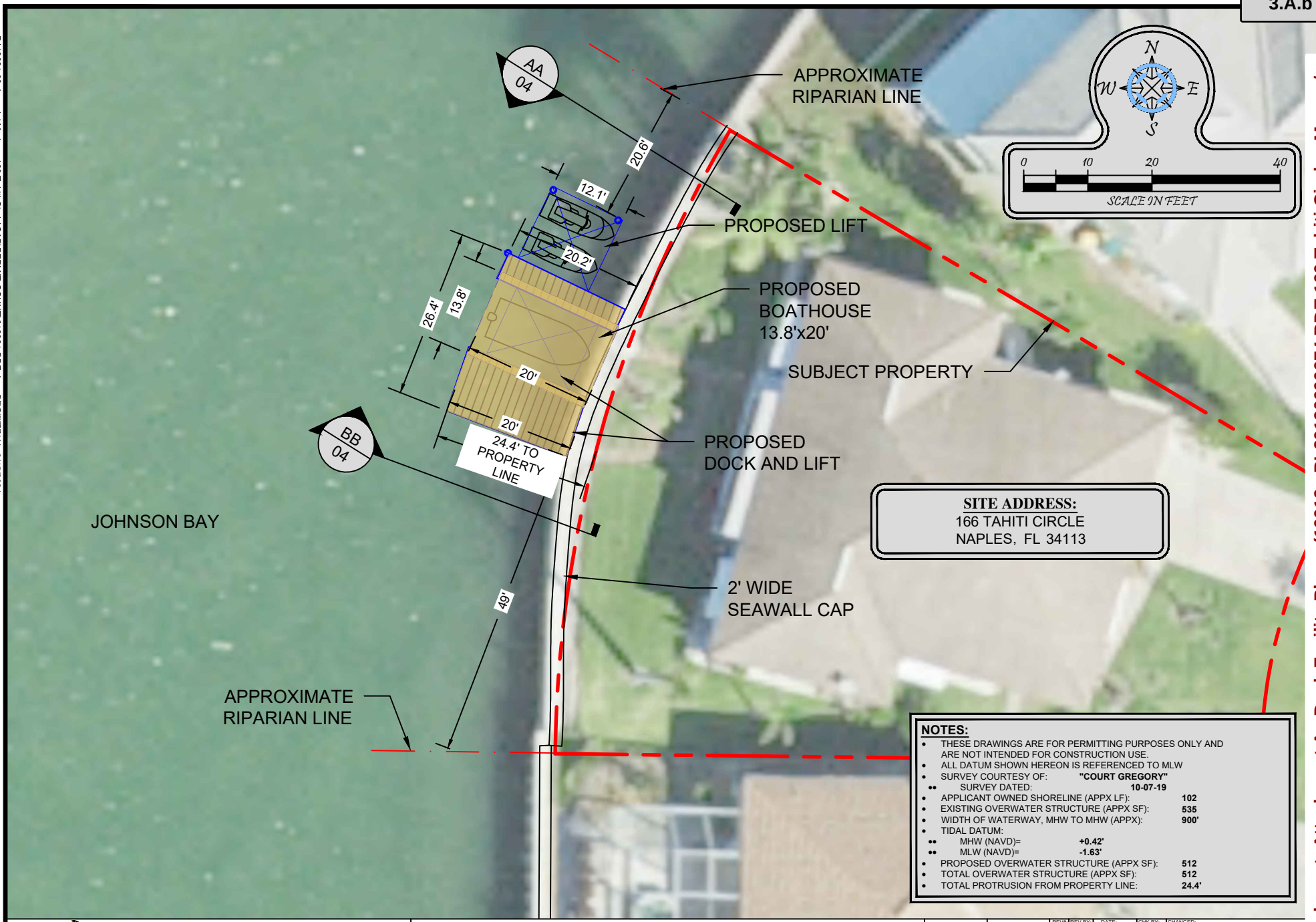
## EXISTING AERIAL

THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.

| | | REV#: | REV BY: | DATE: | CHK BY: | CHANGED: |
|---|---|---|---|---|---|---|
| DESIGNED: | JR | 1. | RMJ | 10-29-19 | JR | ADD DIMS, REV. NOTE BOX |
| DRAWN BY: | RMJ | 2. | - | - | - | - |
| CREATED: | 06-17-19 | 3. | - | - | - | - |
| JOB NO.: | 19031 | 4. | - | - | - | - |
| SHEET NO.: | 02 OF 10 | 5. | - | - | - | - |

SECTION- 32 TOWNSHIP- 51 S

Attachment: Attachment A - Dock Facility Plans (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses /




**SITE ADDRESS:**
166 TAHITI CIRCLE
NAPLES, FL 34113

**NOTES:**

- THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.
- ALL DATUM SHOWN HEREON IS REFERENCED TO MLW
- SURVEY COURTESY OF: **"COURT GREGORY"**
  - SURVEY DATED: **10-07-19**
- APPLICANT OWNED SHORELINE (APPX LF): **102**
- EXISTING OVERWATER STRUCTURE (APPX SF): **535**
- WIDTH OF WATERWAY, MHW TO MHW (APPX): **900'**
- TIDAL DATUM:
  - MHW (NAVD)= **+0.42'**
  - MLW (NAVD)= **-1.63'**
- PROPOSED OVERWATER STRUCTURE (APPX SF): **512**
- TOTAL OVERWATER STRUCTURE (APPX SF): **512**
- TOTAL PROTRUSION FROM PROPERTY LINE: **24.4'**

Turrell, Hall & Associates, Inc.
Marine & Environmental Consulting
3584 Exchange Ave. Naples, FL 34104-3732
Email: tuna@turrell-associates.com Phone: (239) 643-0166 Fax: (239) 643-6632

# 166 TAHITI CIRCLE

## PROPOSED AERIAL

THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.

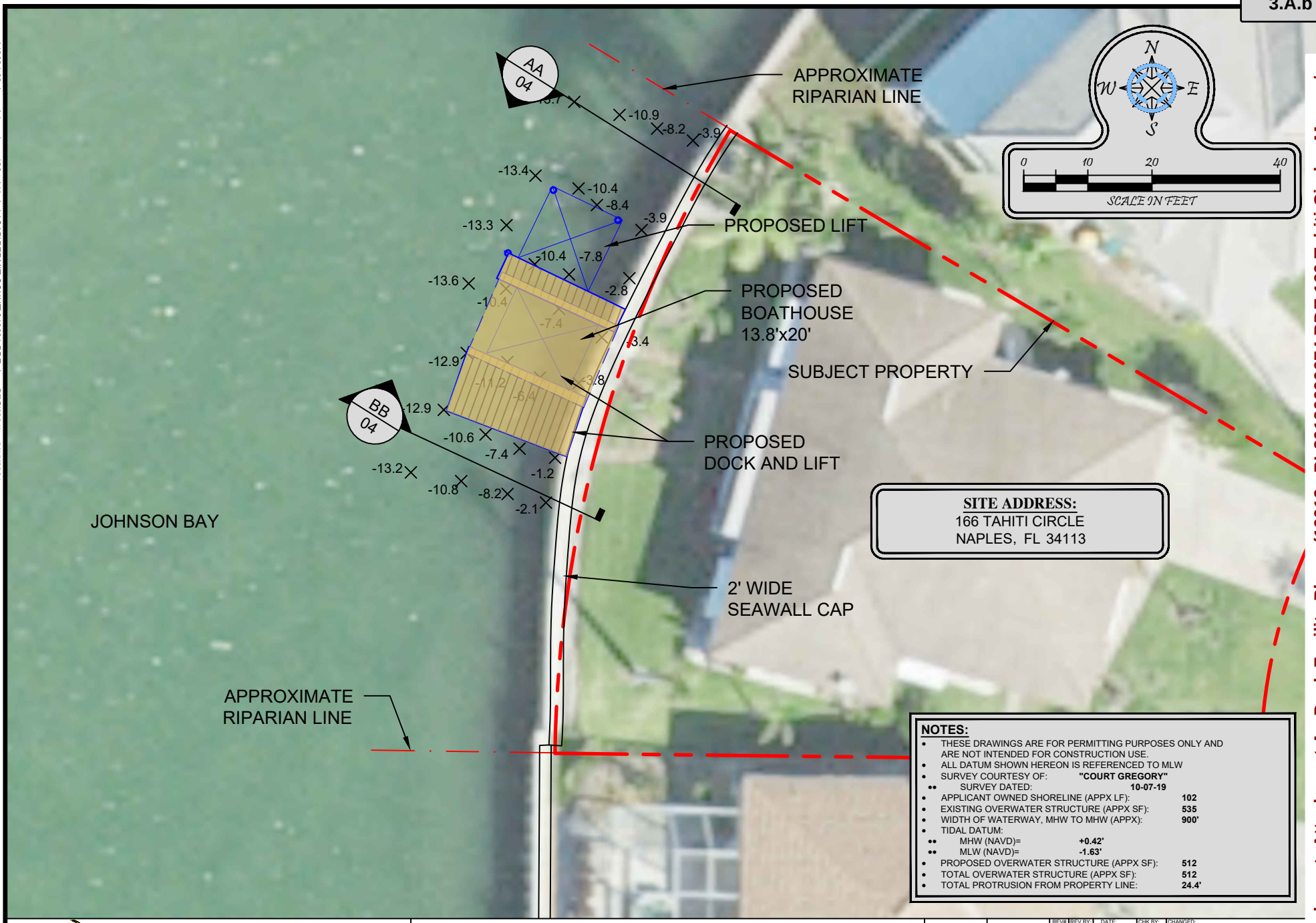
| | | REV# | REV BY: | DATE: | CHK BY: | CHANGED: |
|---|---|---|---|---|---|---|
| DESIGNED: | JR | 1. | RMJ | 10-29-19 | JR | REV. NOTE BOX |
| DRAWN BY: | RMJ | 2. | - | - | - | - |
| CREATED: | 06-17-19 | 3. | - | - | - | - |
| JOB NO.: | 19031 | 4. | - | - | - | - |
| SHEET NO.: | 03 OF 10 | 5. | - | - | - | - |

SECTION- 32 TOWNSHIP- 51 S

P:\19031.00 Imperial Marine - 166 Tahiti Circle\CAD\PERMIT-COUNTY\19031-BDE.dwg BRADLEY 3/15/2021

Attachment: Attachment A - Dock Facility Plans (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses /

p:\19031.00 imperial marine - 166 tahiti circle\CAD\PERMIT-COUNTY\19031-BDE.dwg BRIDGE depths 3/15/2021




**SITE ADDRESS:**
166 TAHITI CIRCLE
NAPLES, FL 34113

**NOTES:**

- THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.
- ALL DATUM SHOWN HEREON IS REFERENCED TO MLW
- SURVEY COURTESY OF: **"COURT GREGORY"**
  - SURVEY DATED: **10-07-19**
- APPLICANT OWNED SHORELINE (APPX LF): **102**
- EXISTING OVERWATER STRUCTURE (APPX SF): **535**
- WIDTH OF WATERWAY, MHW TO MHW (APPX): **900'**
- TIDAL DATUM:
  - MHW (NAVD)= **+0.42'**
  - MLW (NAVD)= **-1.63'**
- PROPOSED OVERWATER STRUCTURE (APPX SF): **512**
- TOTAL OVERWATER STRUCTURE (APPX SF): **512**
- TOTAL PROTRUSION FROM PROPERTY LINE: **24.4'**

Turrell, Hall & Associates, Inc.
Marine & Environmental Consulting
3584 Exchange Ave. Naples, FL 34104-3732
Email: tuna@turrell-associates.com Phone: (239) 643-0166 Fax: (239) 643-6632

# 166 TAHITI CIRCLE

## PROPOSED AERIAL WITH DEPTHS

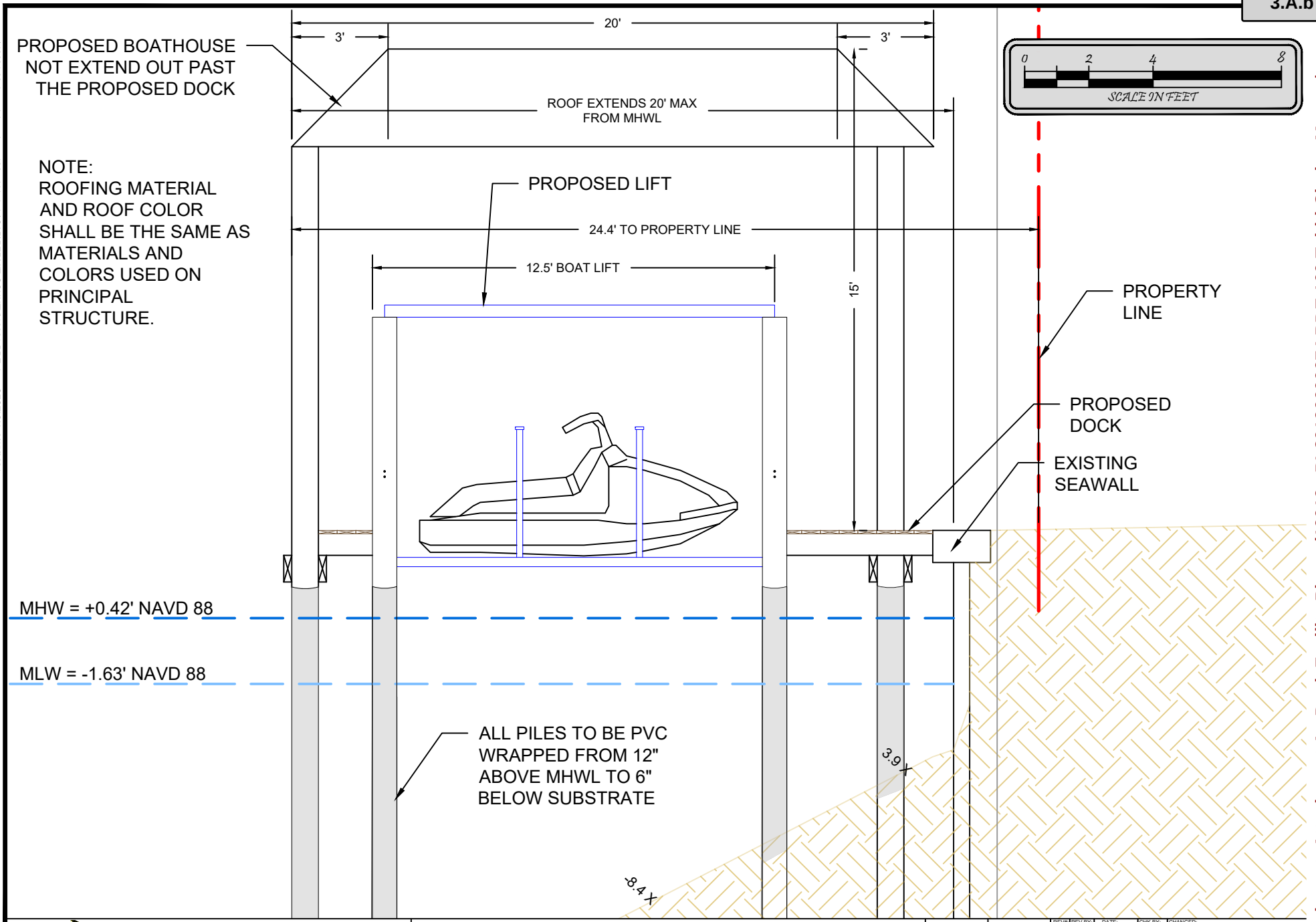
THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.

| | | REV# | REV BY: | DATE: | CHK BY: | CHANGED: |
|---|---|---|---|---|---|---|
| DESIGNED: | JR | 1. | RMJ | 10-29-19 | JR | NEW PAGE |
| DRAWN BY: | RMJ | 2. | - | - | - | - |
| CREATED: | 10-22-19 | 3. | - | - | - | - |
| JOB NO.: | 19031 | 4. | - | - | - | - |
| SHEET NO.: | 04 OF 10 | 5. | - | - | - | - |

SECTION- 32 TOWNSHIP- 51 S

Attachment: Attachment A - Dock Facility Plans (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses /

p:\19031.00 imperial marine - 166 tahiti circle\CAD\PERMIT-COUNTY\19031-BDE.dwg SECTION 3/15/2021




Turrell, Hall & Associates, Inc.
Marine & Environmental Consulting
3584 Exchange Ave. Naples, FL 34104-3732
Email: tuna@turrell-associates.com Phone: (239) 643-0166 Fax: (239) 643-6632

# 166 TAHITI CIRCLE

## CROSS SECTION AA

THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.

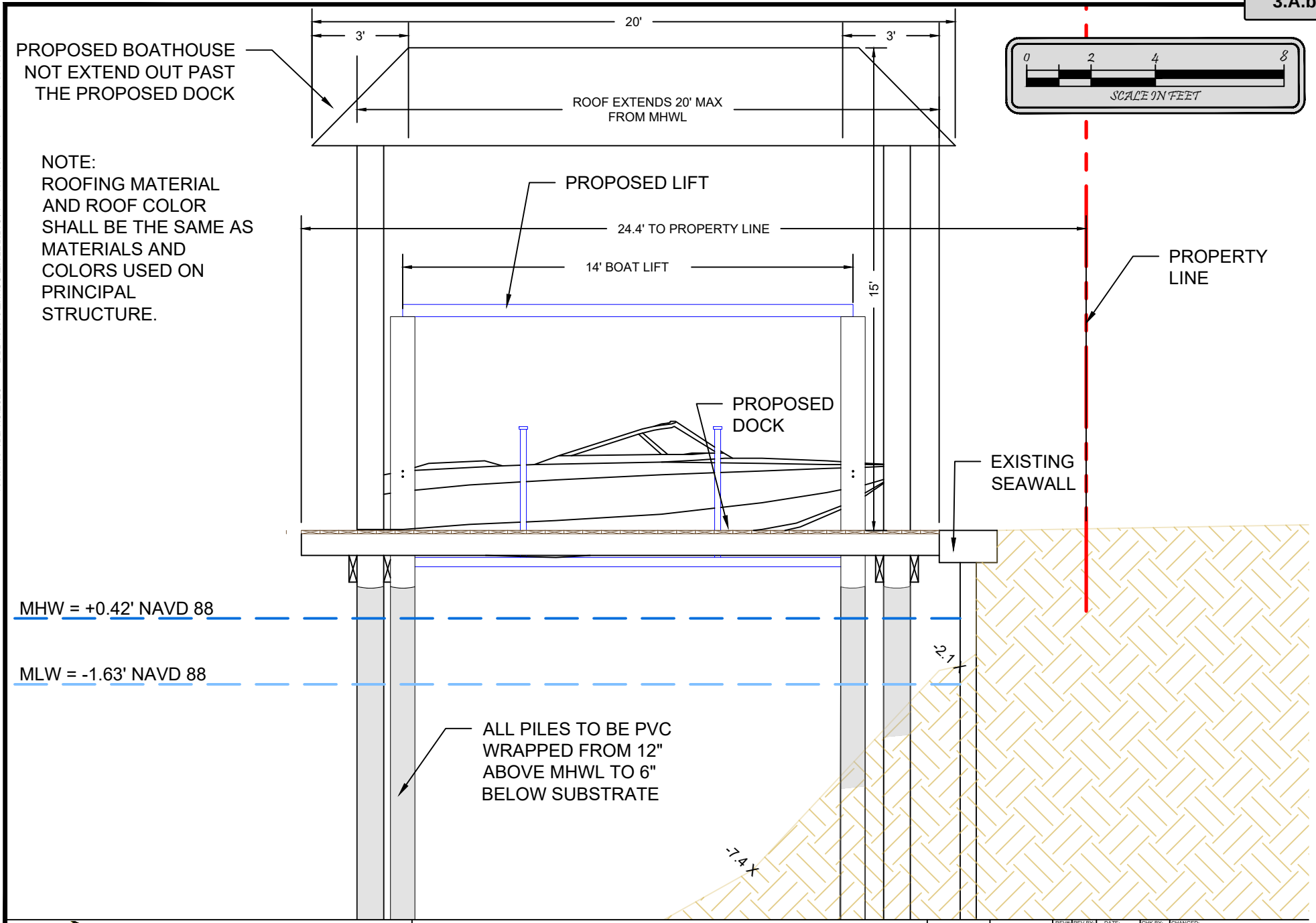
| | |
|---|---|
| DESIGNED: | JR |
| DRAWN BY: | RMJ |
| CREATED: | 06-17-19 |
| JOB NO.: | 19031 |
| SHEET NO.: | 05 OF 10 |

| REV# | REV BY: | DATE: | CHK BY: | CHANGED: |
|---|---|---|---|---|
| 1. | RMJ | 10-29-19 | JR | ADDED DEPTHS, REV. NOTE BOX |
| 2. | - | - | - | - |
| 3. | - | - | - | - |
| 4. | - | - | - | - |
| 5. | - | - | - | - |

SECTION-32 TOWNSHIP- 51 S

Attachment: Attachment A - Dock Facility Plans (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses /

p:\19031.00 imperial marine - 166 tahiti circle\CAD\PERMIT-COUNTY\19031-BDE.dwg SECTION (BB) 3/15/2021




Turrell, Hall & Associates, Inc.
Marine & Environmental Consulting
3584 Exchange Ave. Naples, FL 34104-3732
Email: tuna@turrell-associates.com Phone: (239) 643-0166 Fax: (239) 643-6632

# 166 TAHITI CIRCLE

## CROSS SECTION BB

THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.

| | |
|---|---|
| DESIGNED: | JR |
| DRAWN BY: | RMJ |
| CREATED: | 03-15-19 |
| JOB NO.: | 19031 |
| SHEET NO.: | 06 OF 10 |

| REV# | REV BY: | DATE: | CHK BY: | CHANGED: |
|---|---|---|---|---|
| 1. | - | - | - | - |
| 2. | - | - | - | - |
| 3. | - | - | - | - |
| 4. | - | - | - | - |
| 5. | - | - | - | - |

SECTION- 32 TOWNSHIP- 51 S

Attachment: Attachment A - Dock Facility Plans (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses /

p:\19031.00 imperial marine - 166 tahiti circle\CAD\PERMIT-COUNTY\19031-BDE.dwg 3/15/2021 3:05:28 PM EDT




NOTE:
THE DIMENSIONS SHOWN ARE APPROXIMATE AND ARE TAKEN FROM THE AERIAL IMAGE.

Turrell, Hall & Associates, Inc.
Marine & Environmental Consulting
3584 Exchange Ave. Naples, FL 34104-3732
Email: tuna@turrell-associates.com Phone: (239) 643-0166 Fax: (239) 643-6632

# 166 TAHITI CIRCLE

## ADJACENT DOCKS

THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.

| | | REV# | REV BY: | DATE: | CHK BY: | CHANGED: |
|---|---|---|---|---|---|---|
| DESIGNED: | JR | 1. | RMJ | 10-29-19 | JR | REV. NOTE BOX |
| DRAWN BY: | RMJ | 2. | - | - | - | - |
| CREATED: | 06-17-19 | 3. | - | - | - | - |
| JOB NO.: | 19031 | 4. | - | - | - | - |
| SHEET NO.: | 07 OF 10 | 5. | - | - | - | - |

SECTION- 32 TOWNSHIP- 51 S

Attachment: Attachment A - Dock Facility Plans (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses /

p:\19031.00 imperial marine - 166 tahiti circle\CAD\PERMIT-COUNTY\19031-BDE.dwg ST OVERLAY 3/15/2021




Turrell, Hall & Associates, Inc.
Marine & Environmental Consulting
3584 Exchange Ave. Naples, FL 34104-3732
Email: tuna@turrell-associates.com Phone: (239) 643-0166 Fax: (239) 643-6632

# 166 TAHITI CIRCLE

## ST OVERLAY MAP

THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.

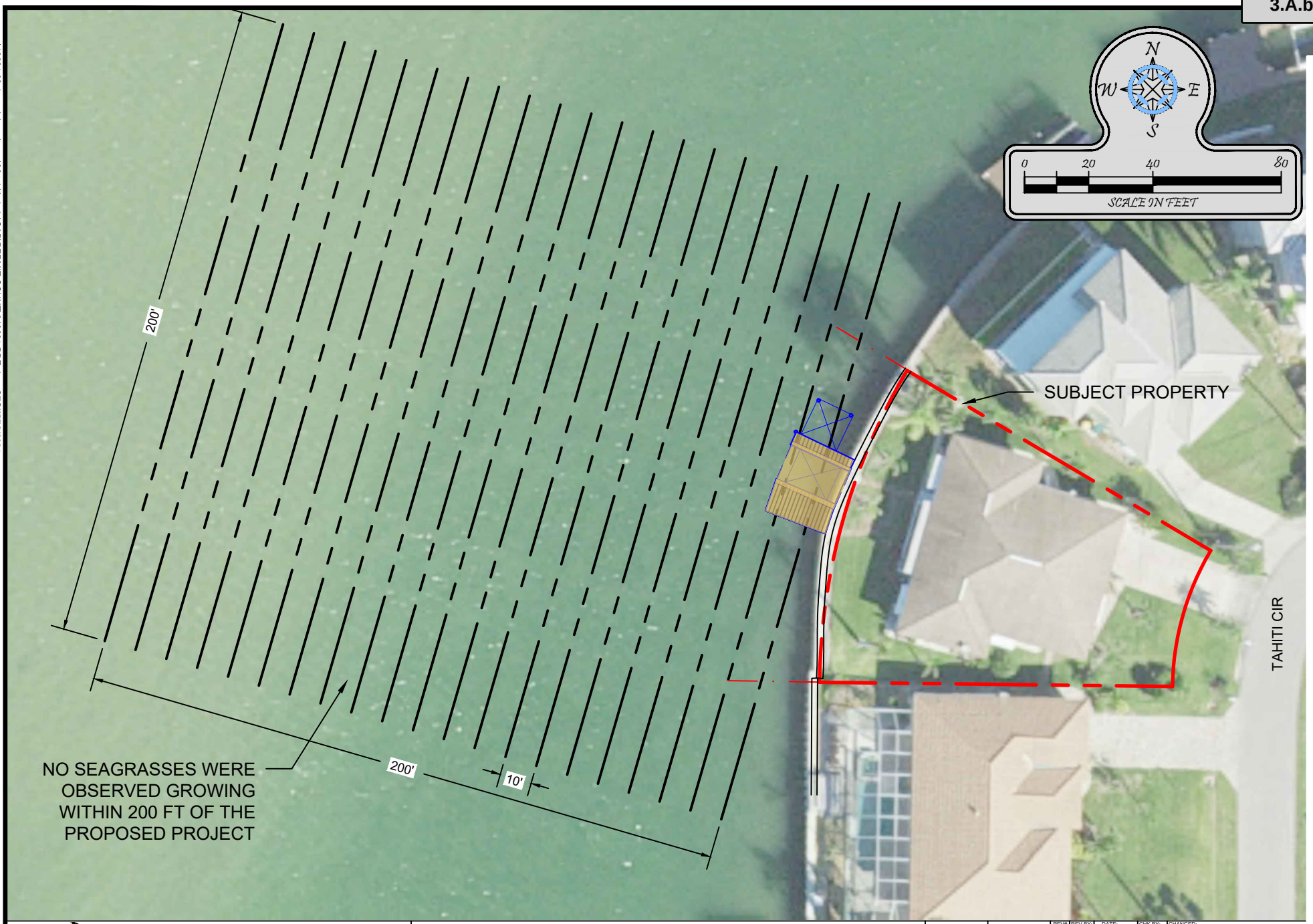
| | | REV# | REV BY: | DATE: | CHK BY: | CHANGED: |
|---|---|---|---|---|---|---|
| DESIGNED: | JR | 1. | RMJ | 10-29-19 | JR | REV. NOTE BOX |
| DRAWN BY: | RMJ | 2. | - | - | - | - |
| CREATED: | 06-17-19 | 3. | - | - | - | - |
| JOB NO.: | 19031 | 4. | - | - | - | - |
| SHEET NO.: | 08 OF 10 | 5. | - | - | - | - |

SECTION- 32 TOWNSHIP- 51 S

Attachment: Attachment A - Dock Facility Plans (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses /

Attachment: Attachment A - Dock Facility Plans (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses /

p:\19031.00 imperial marine - 166 tahiti circle\CAD\PERMIT-COUNTY\19031-BDE.dwg SRS 2/25/2021




Turrell, Hall & Associates, Inc.
Marine & Environmental Consulting
3584 Exchange Ave. Naples, FL 34104-3732
Email: tuna@turrell-associates.com Phone: (239) 643-0166 Fax: (239) 643-6632

# 166 TAHITI CIRCLE

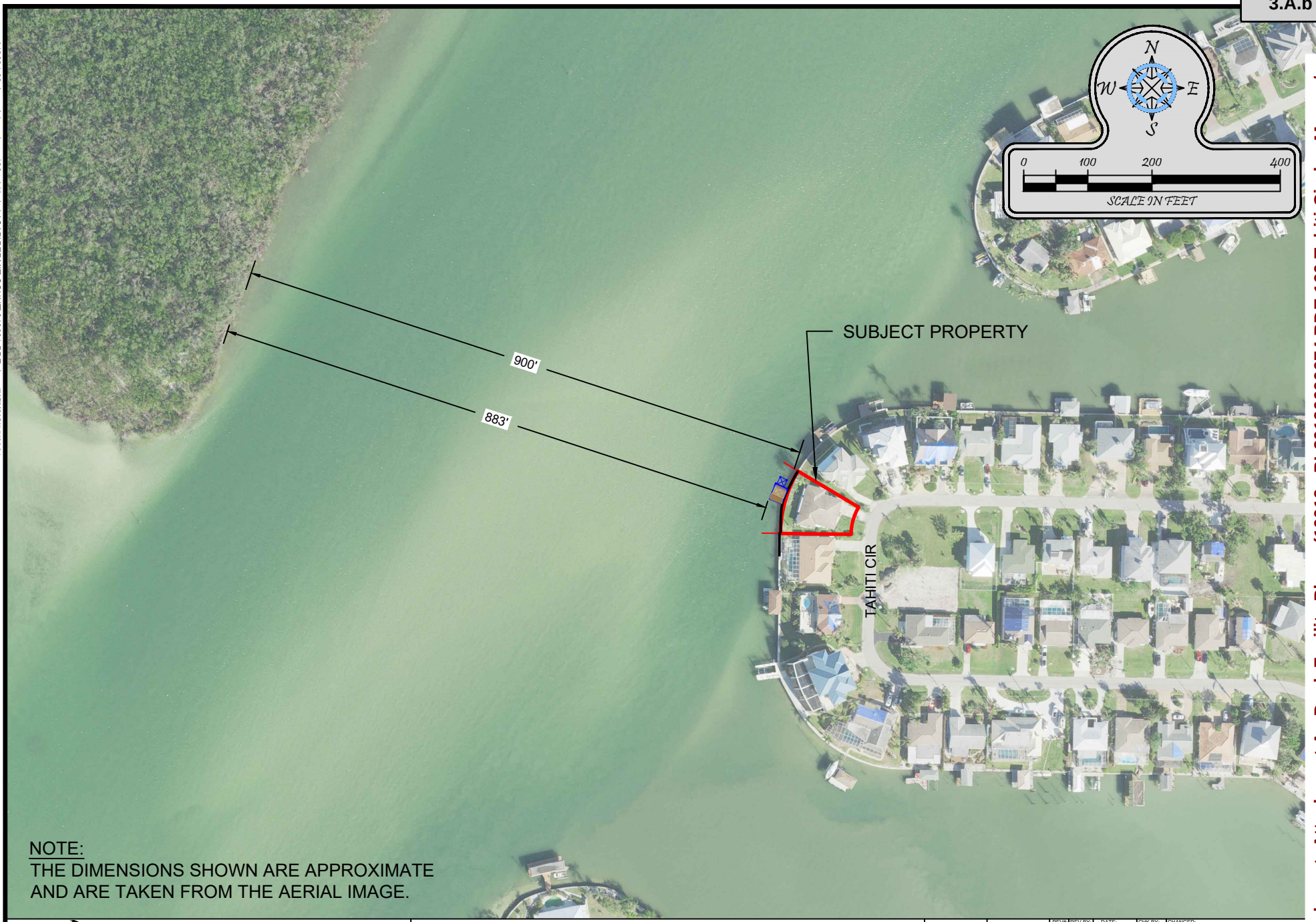
## SUBMERGED RESOURCE SURVEY

THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.

| | | REV# | REV BY: | DATE: | CHK BY: | CHANGED: |
|---|---|---|---|---|---|---|
| DESIGNED: | JR | 1. | RMJ | 10-29-19 | JR | REV. NOTE BOX |
| DRAWN BY: | RMJ | 2. | - | - | - | - |
| CREATED: | 06-17-19 | 3. | - | - | - | - |
| JOB NO.: | 19031 | 4. | - | - | - | - |
| SHEET NO.: | 09 OF 10 | 5. | - | - | - | - |

SECTION- 32 TOWNSHIP- 51 S

p:\19031.00 imperial marine - 166 tahiti circle\CAD\PERMIT-COUNTY\19031-BDE.dwg 10/29/2019 5:21:15 PM EST




NOTE:
THE DIMENSIONS SHOWN ARE APPROXIMATE AND ARE TAKEN FROM THE AERIAL IMAGE.

Turrell, Hall & Associates, Inc.
Marine & Environmental Consulting
3584 Exchange Ave. Naples, FL 34104-3732
Email: tuna@turrell-associates.com Phone: (239) 643-0166 Fax: (239) 643-6632

# 166 TAHITI CIRCLE

## WIDTH OF WATERWAY

THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.

| | | REV# | REV BY: | DATE: | CHK BY: | CHANGED: |
|---|---|---|---|---|---|---|
| DESIGNED: | JR | 1. | RMJ | 10-29-19 | JR | NEW PAGE |
| DRAWN BY: | RMJ | 2. | - | - | - | - |
| CREATED: | 10-29-19 | 3. | - | - | - | - |
| JOB NO.: | 19031 | 4. | - | - | - | - |
| SHEET NO.: | 10 OF 10 | 5. | - | - | - | - |

SECTION- 32 TOWNSHIP- 51 S

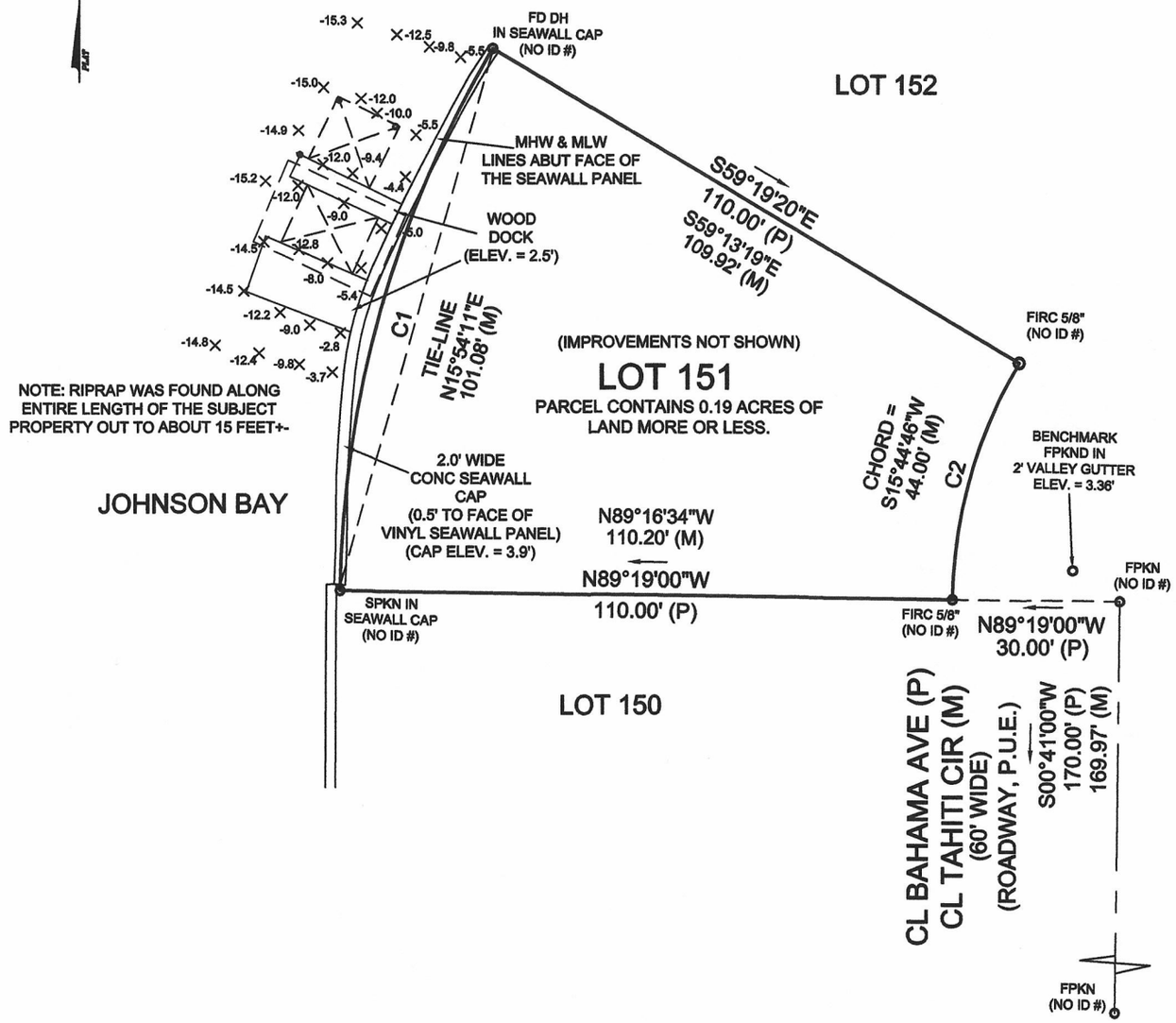
Attachment: Attachment A - Dock Facility Plans (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses /

SCALE 1" = 30'

| CURVE TABLE | | | | | |
|---|---|---|---|---|---|
| CURVE | LENGTH | RADIUS | DELTA | CHORD DIR | CHORD |
| C1 | 102.08 | 195.00 | 29°59'40" | S15°40'50"W | 100.92 |
| C2 | 44.50 | 85.00 | 29°59'40" | S15°40'50"W | 43.99 |

SPOT ELEVATIONS SHOWN ARE BASED UPON NAVD '88

BOUNDARY INFORMATION FURNISHED BY CLIENT.




NOTES:

1.THE BEARINGS SHOWN HEREON ARE BASED ON THE CENTERLINE OF TAHITI ST (P) AS SHOWN IN PLAT BOOK 3 PAGE 46 OF COLLIER COUNTY, BEING NORTH 00° 41' 00" EAST.

2.IMPROVEMENTS OTHER THAN THOSE SHOWN ARE NOT A PART OF THIS SURVEY.

3.SAID DESCRIBED LAND IS SUBJECT TO ALL SUBDIVISION REGULATIONS, RESERVATIONS, RESTRICTIONS, ZONING AND RIGHTS-OF- WAY OF RECORD.

4.DATE OF FIELD SURVEY MAY 31, 2018.

5.THIS SURVEY MAP IS NOT VALID WITHOUT THE SIGNATURE AND RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

6.SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED AS A PART OF THIS SURVEY. NO STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONTAINERS, UTILITIES OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS PROPERTY.

7.ELEVATIONS SHOWN ARE BASED ON N.A.V.D. DATUM OF 1988. DESCRIPTION OF BENCHMARK IS AS FOLLOWS: FPKND IN GUTTER BETWEEN RES#'S 164/166 TAHITI CIR ELEV. = 3.36'

8.SUBJECT PROPERTY IS SITUATED IN FLOOD ZONE " " AS INDICATED ON FEMA FLOOD ZONE MAP PANEL NO N/A
DATED: BASE ELEVATION DETERMINED AT N/A

9.NO TITLE OPINION OR ABSTRACT TO THE SUBJECT PROPERTY HAS BEEN PROVIDED. ALL INFORMATION HAS BEEN SUPPLIED BY THE CLIENT. IT IS POSSIBLE THAT THERE ARE DEEDS, EASEMENTS, OR OTHER INSTRUMENTS (RECORDED OR UNRECORDED) WHICH MAY AFFECT THE SUBJECT PROPERTY. NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THE SURVEYOR.

10. THE PURPOSE OF THIS SURVEY IS TO SHOW THE PROPOSED DOCK LOCATION WITH RESPECT TO THE PLATTED SUBJECT PROPOSERTY PROPERTY LINES ARE SHOWN AS PLAT.

LEGEND

= FOUND (") IRON ROD ( SURVEYOR ID #) (FIR)
= SET 1/2" IRON ROD (PSM #6004)(SIRC)
= SET 4" X 4" CONCRETE MONUMENT (PSM #6004)(SCM)
= FOUND CONCRETE MONUMENT (SURVEYOR ID #)(FCM)
= BENCHMARK (FOUND OR SET) R/W = RIGHT OF WAY(R.O.W.)
= FOUND NAIL OR PK NAIL AND DISC ( SURVEYOR ID #) (FIR)
= SET PK NAIL AND DISC (PSM #6004) (SPKN&D) FD. = FOUND
FN&TT = FOUND NAIL AND TIN TAB BM = BENCHMARK
P.C.P. = PERMANENT CONTROL POINT (#)
P.R.M. = PERMANENT REFERENCE MONUMENT (#)
CBS=CONCRETE BLOCK & STUCCO FF = FINISHED FLOOR
(PG) = PAGE CATV=CABLE TV CMP = CORRUGATED METAL PIPE
(M) = FIELD MEASUREMENT U.T.S.= UNITED TELEPHONE RISER
(P) OR (D) = PLAT OR RECORDED(DEED) MEASUREMENT
(C) = CALCULATED MEASUREMENT CONC = CONCRETE
(PB) = PLAT BOOK LME = LAKE MAINTENANCE EASEMENT
R.C.P. = REINFORCED CONCRETE PIPE PROP = PROPERTY
C.L.= CENTERLINE T.O.B. = TOP OF BANK UE = UTILITY EASEMENT
DE = DRAINAGE EASEMENT CUE = COUNTY (U.E.)
LBE = LANDSCAPE BUFFER EASEMENT ELEC = ELECTRIC
PUE = PUBLIC UTILITY EASEMENT SWE = SIDEWALK EASEMENT

# MAP OF ASBUILT SURVEY

(DOCK IMPROVEMENT ONLY)

## LOT 151

OF

## ISLES OF CAPRI NO. 2

AS RECORDED IN
PLAT BOOK 3 PAGE(S) 46
OF THE PUBLIC RECORDS OF
COLLIER COUNTY, FLORIDA

166 TAHITI CIRCLE

THIS SURVEY IS PREPARED FOR:
TURRELL, HALL & ASSOCIATES

CERTIFICATION:
I CERTIFY THAT THIS SURVEY WAS MADE UNDER MY DIRECTION AND THAT IT MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE BOARD OF PROFESSIONA LAND SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTIC 472.027, FLORIDA STATUTES.
NOT A CERTIFICATION OF TITLE, ZONING, EASEMENTS O FREEDOM OF ENCUMBRANCES.

Court H. Gregory
Digitally signed by Court H. Gregory
DN: cn=Court H. Gregory, o=Court Gregory Surveying Inc, ou, email=cgs6004@comcast.net, c=US
Date: 2019.10.07 09:05:36 -04'00'

SIGNED_____
COURT H. GREGORY PSM #6004
DATE 10/07/2019
DATE OF FIELD SURVEY 05-31-2018

ADDED WATER DEPTH ELEVATIONS
DATE OF REVISION 10-03-2019

PSM # 6004
LB # 7112

**C.G.S.**

**Court Gregory Surveying, In**
761 Teton Court
Naples, Florida 34104

(239)643-7845 office
cgs6004@comcast.net
(239)272-3707 cell

Date 10/07/2019
Job # EN40152M2
Fb MI-37 Pg 78

Attachment: Attachment B - AsBuilt Survey (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses /

## KellyJohn

**From:** KellyJohn
**Sent:** Friday, May 21, 2021 2:12 PM
**To:** KellyJohn
**Subject:** BDE-PL20190000674 Public Hearing Sign Posting
**Attachments:** 8354AD08-9DA0-4857-8587-27EB0B620343.jpeg; 218B3533-21B2-4C99-B239-339921F7017D.jpeg; E9410DDA-02C1-4618-BAE3-3D6839E92FD5.jpeg; F18B1377-73E2-45FA-B0AB-6DA888FBD988.jpeg

Notice of Public Hearing was posted by me to the front of 166 Tahiti Circle, immediately adjacent to the public right-of-way, at approximately 12:35 p.m. this date as evidenced by the attached photographs.

Respectfully,
*John Kelly*
Senior Planner

***Zoning Division – Zoning Services Section***
**2800 North Horseshoe Drive, Naples Florida 34104**
**Phone: 239.252.5719 Fax: 239.252.6363**

***NOTE: Email Address Has Changed***
**Email:** John.Kelly@colliercountyfl.gov

*Tell us how we are doing by taking our Zoning Division Survey at* http://bit.ly/CollierZoning

Collier County
*Growth Management Department*

Under Florida Law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by telephone or in writing.

Attachment: Attachment C - Sign Posting and Photos (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses / Taylor)







Attachment: Attachment C - Sign Posting and Photos (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses / Taylor)






Attachment: Attachment C - Sign Posting and Photos (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses / Taylor)

# COLLIER COUNTY
# BOARD OF COUNTY COMMISSIONERS

## PERMIT

**PERMIT #:** PRBD2018010470101
ISSUED: BY:
MASTER #: COA:

PERMIT TYPE: MR
APPLIED DATE: 01-23-18 APPROVAL DATE: 02-12-18

JOB ADDRESS: 166 Tahiti CIR
JOB DESCRIPTION: Rebuild boat house/dock and reinstall lift from damage caused by Irma.
166 Tahiti CIR
JOB PHONE:

SUBDIVISION #: BLOCK: LOT:
FLOOD MAP: ZONE: ELEVATION:
FOLIO #: 52390680007 SECTION-TOWNSHIP-RANGE: 32-51-26

OWNER INFORMATION:
TAYLOR, RICHARD A & MARY MOSES,
ROBERT G & AMY T
166 TAHITI CIR
NAPLES, FL 34113-

CONTRACTOR INFORMATION:
IMPERIAL MARINE CONSTRUCTION INC
1891 54TH ST SW
NAPLES, FL 34116--

CERTIFICATE #: <NO LICENSE#> PHONE:

FCC CODE:
CONSTRUCTION CODE: 0220
JOB VALUE: $49,000.00 TOTAL RES SQFT: 424 TOTAL COMM SQFT: 0

SETBACKS FRONT: REAR: protrusion of 20 into waterway max LEFT: 15
RIGHT: 15
SEWER: WATER:
CONTACT NAME:
CONTACT PHONE:

---

Per Collier County Ordinance No. 2002-01, as it may be amended, all work must comply with all applicable laws, codes, ordinances, and any additional stipulations or conditions of this permit. This permit expires if work authorized by the permit is not commenced within six (6) months from the date of issuance of the permit. Additional fees for failing to obtain permits prior to the commencement of construction may be imposed. Permittee(s) further understands that any contractor that may be employed must be a licensed contractor and that the structure must not be used or occupied until a Certificate of Occupancy is issued.

---

**NOTICE: PRIOR TO THE REMOVAL OF ASBESTOS PRODUCTS OR THE DEMOLITION OF A STRUCTURE, FEDERAL AND STATE LAWS REQUIRE THE PERMITTEE (EITHER THE OWNER OR CONTRACTOR) TO SUBMIT A NOTICE OF THE INTENDED WORK TO THE STATE DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP). FOR MORE INFORMATION, CONTACT DEP AT (239) 344-5600.**

**In addition to the conditions of this permit, there may be additional restrictions applicable to this property that may be found in the public records of this county, and there may be additional permits required from other governmental entities such as water management districts, state agencies, or federal agencies.**

---

**WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT.**

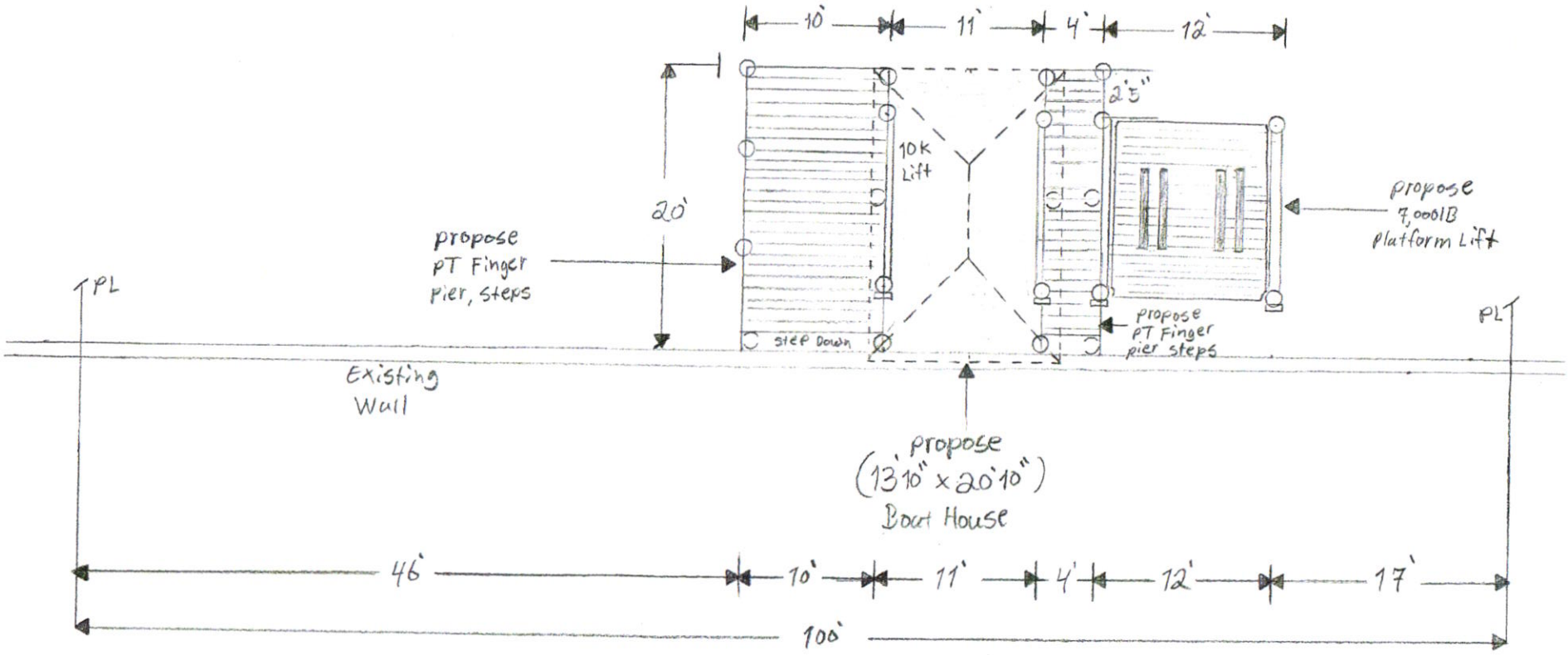
Attachment: Attachment D - Referenced Building Permits (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses / Taylor)

Imperial Marine Construction, Inc.
Owner: Richard Taylor
Address: 166 Tahiti cir.
Date: December 26th - 2017
Scale: 3/32" = 1'
Total Sq Ft: 424'

Build it!
Collier County
Reviewed for Code Compliance
PRBD20180104701

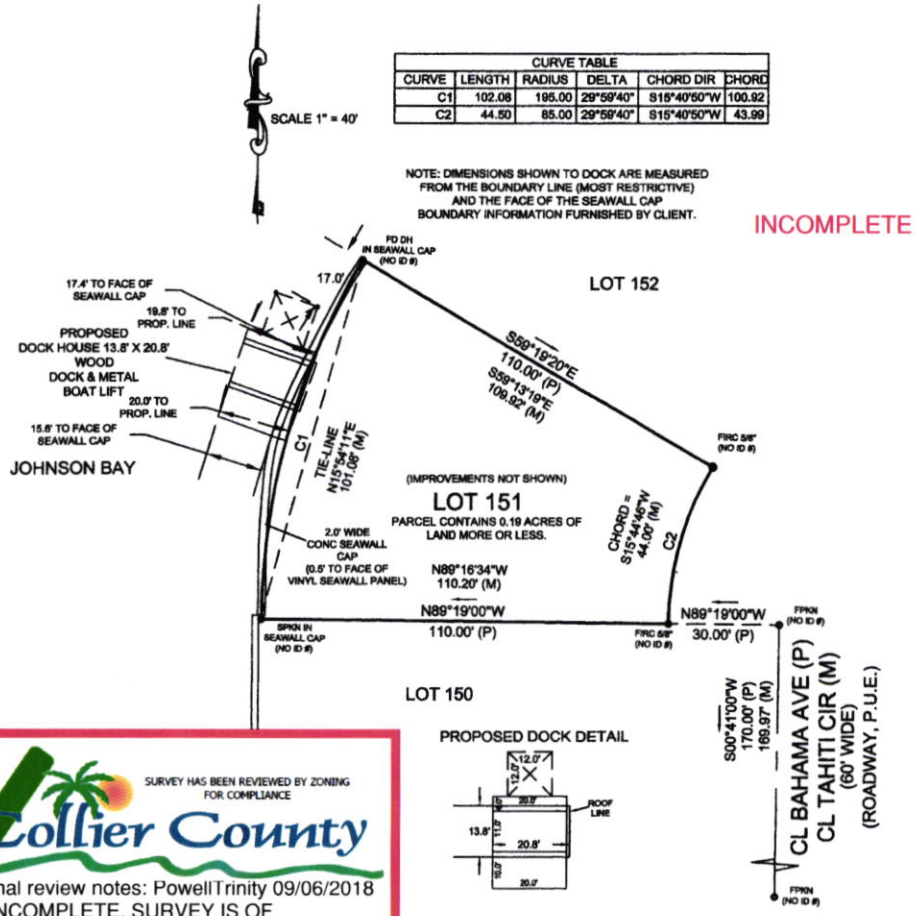
= Above Dock piling
= Below Dock piling
= Remote
= GFI outlet

Open Bay
w/elec




Attachment: Attachment D - Referenced Building Permits (16019 : PL20190000674 BDE 166 Tahiti Circle -

PRBD20180104701




| CURVE TABLE | | | | | |
|---|---|---|---|---|---|
| CURVE | LENGTH | RADIUS | DELTA | CHORD DIR | CHORD |
| C1 | 102.08 | 195.00 | 29°59'40" | S15°40'50"W | 100.92 |
| C2 | 44.50 | 85.00 | 29°59'40" | S15°40'50"W | 43.99 |

NOTES:

1. THE BEARINGS SHOWN HEREON ARE BASED ON THE CENTERLINE OF TAHITI ST (P) AS SHOWN IN PLAT BOOK 3 PAGE 46 OF COLLIER COUNTY, BEING NORTH 00° 41' 00" EAST.
2. IMPROVEMENTS OTHER THAN THOSE SHOWN ARE NOT A PART OF THIS SURVEY.
3. SAID DESCRIBED LAND IS SUBJECT TO ALL SUBDIVISION REGULATIONS, RESERVATIONS, RESTRICTIONS, ZONING AND RIGHTS-OF- WAY OF RECORD.
4. DATE OF FIELD SURVEY JANUARY 19, 2018.
5. THIS SURVEY MAP IS NOT VALID WITHOUT THE SIGNATURE AND RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
6. SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED AS A PART OF THIS SURVEY. NO STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONTAINERS, UTILITIES OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS PROPERTY.
7. ELEVATIONS SHOWN ARE BASED ON N.A.V.D. DATUM OF 1988. DESCRIPTION OF BENCHMARK IS AS FOLLOWS: N/A
8. SUBJECT PROPERTY IS SITUATED IN FLOOD ZONE " " AS INDICATED ON FEMA FLOOD ZONE MAP PANEL NO N/A DATED: BASE ELEVATION DETERMINED AT N/A
9. NO TITLE OPINION OR ABSTRACT TO THE SUBJECT PROPERTY HAS BEEN PROVIDED. ALL INFORMATION HAS BEEN SUPPLIED BY THE CLIENT. IT IS POSSIBLE THAT THERE ARE DEEDS, EASEMENTS, OR OTHER INSTRUMENTS (RECORDED OR UNRECORDED) WHICH MAY AFFECT THE SUBJECT PROPERTY. NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THE SURVEYOR.
10. THE PURPOSE OF THIS SURVEY IS TO SHOW THE PROPOSED DOCK LOCATION WITH RESPECT TO THE PLATTED SUBJECT PROPOSERTY PROPERTY LINES ARE SHOWN AS PLAT.

LEGEND

- = FOUND (') IRON ROD ( SURVEYOR ID #) (FIR)
- = SET 1/2" IRON ROD (PSM #6004)(SIRC)
- = SET 4" X 4" CONCRETE MONUMENT (PSM #6004)(SCM)
- = FOUND CONCRETE MONUMENT (SURVEYOR ID #)(FCM)
- = BENCHMARK (FOUND OR SET) R/W = RIGHT OF WAY(R.O.W.)
- = FOUND NAIL OR PK NAIL AND DISC ( SURVEYOR ID #) (FIR)
- = SET PK NAIL AND DISC (PSM #6004) (SPKN&D) FD. = FOUND

FN&TT = FOUND NAIL AND TIN TAB BM = BENCHMARK
P.C.P. = PERMANENT CONTROL POINT (#)
P.R.M. = PERMANENT REFERENCE MONUMENT (#)
CBS=CONCRETE BLOCK & STUCCO FF = FINISHED FLOOR
(PG) = PAGE CATV=CABLE TV CMP = CORRUGATED METAL PIPE
(M) = FIELD MEASUREMENT U.T.S.= UNITED TELEPHONE RISER
(P) OR (D) = PLAT OR RECORDED(DEED) MEASUREMENT
(C) = CALCULATED MEASUREMENT CONC = CONCRETE
(PB) = PLAT BOOK LME = LAKE MAINTENANCE EASEMENT
R.C.P. = REINFORCED CONCRETE PIPE PROP = PROPERTY
C.L.= CENTERLINE T.O.B. = TOP OF BANK UE = UTILITY EASEMENT
DE = DRAINAGE EASEMENT CUE = COUNTY (U.E.)
LBE = LANDSCAPE BUFFER EASEMENT ELEC = ELECTRIC
PUE = PUBLIC UTILITY EASEMENT SWE = SIDEWALK EASEMENT

# MAP OF BOUNDARY SURVEY

(PROPOSED DOCK SITE PLAN)

## LOT 151

OF

## ISLES OF CAPRI NO. 2

AS RECORDED IN
PLAT BOOK 3 PAGE(S) 46
OF THE PUBLIC RECORDS OF
COLLIER COUNTY, FLORIDA

166 TAHITI CIRCLE

THIS SURVEY IS PREPARED FOR:
IMPERIAL MARINE CONSTRUCTION

CERTIFICATION:

I CERTIFY THAT THIS SURVEY WAS MADE UNDER MY DIRECTION AND THAT IT MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE BOARD OF PROFESSIONAL LAND SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.
NOT A CERTIFICATION OF TITLE, ZONING, EASEMENTS OR FREEDOM OF ENCUMBRANCES.

Digitally signed by Court H. Gregory
DN: cn=Court H. Gregory, o=Court Gregory Surveying Inc, ou, email=cgs6004@comcast.net, c=US
Date: 2018.01.22 16:19:01 -05'00'

SIGNED_____
COURT H. GREGORY PSM #6004
DATE 01/19/2018
DATE OF FIELD SURVEY 01-19-2018

PSM # 6004
LB # 7112

C.G.S.
Court Gregory Surveying, Inc.
761 Teton Court
Naples, Florida 34104

(239)643-7845 office
cgs6004@comcast.net
(239)272-3707 cell

Date 01/29/2018
Job # EN40152M
Fb MI-32 Pg 44

SURVEY HAS BEEN REVIEWED BY ZONING FOR COMPLIANCE
Collier County
additional review notes: PowellTrinity 09/06/2018 3:06 PM INCOMPLETE. SURVEY IS OF PROPOSED STRUCTURE, NOT FINAL CONSTRUCTION.

Attachment: Attachment D - Referenced Building Permits (16019 : PL20190000674 BDE 166 Tahiti Circle -

# COLLIER COUNTY
# BOARD OF COUNTY COMMISSIONERS

## PERMIT

**PERMIT #:** **PRBD2015082594701**
ISSUED: BY:
MASTER #: COA:

PERMIT TYPE: MR
APPLIED DATE: 08-11-15 APPROVAL DATE: 09-21-15

JOB ADDRESS: 166 Tahiti CIR
JOB DESCRIPTION: REPLACE EXISTING DOCK W (1) 10' X 20' FINGER PIER, (1) 4' X 20' FINGER PIER, (1) 289 SQ FT BOATHOUSE, (1) 10,000 LB ALUM-A-VATOR + (1) 7,000 LB ALUM-A-VATER, W/ELECTRIC TO BE REPLACED IN SAME FOOTPRINT AS EXISTING DOCK FACILITY
166 TAHITI CIR

JOB PHONE:

SUBDIVISION #: BLOCK: LOT:
FLOOD MAP: ZONE: ELEVATION:
FOLIO #: 52390680007 SECTION-TOWNSHIP-RANGE: 32-51-26

OWNER INFORMATION:
TAYLOR, RICHARD A & MARY MOSES,
ROBERT G & AMY T
166 TAHITI CIR
NAPLES , FL 34113-

CONTRACTOR INFORMATION:
NELSON MARINE CONSTRUCTION INC.
10900 EAST TERRY STREET
BONITA SPRINGS, FL 34135--

CERTIFICATE #: C26557 PHONE:

FCC CODE:
CONSTRUCTION CODE: 0218
JOB VALUE: $57,782.00 TOTAL RES SQFT: 0.00 TOTAL COMM SQFT: 0.00

SETBACKS FRONT: REAR: 20' Protrusion LEFT: 15' RIGHT: 15'
SEWER: WATER:
CONTACT NAME:
CONTACT PHONE:

---

Per Collier County Ordinance No. 2002-01, as it may be amended, all work must comply with all applicable laws, codes, ordinances, and any additional stipulations or conditions of this permit. This permit expires if work authorized by the permit is not commenced within six (6) months from the date of issuance of the permit. Additional fees for failing to obtain permits prior to the commencement of construction may be imposed. Permittee(s) further understands that any contractor that may be employed must be a licensed contractor and that the structure must not be used or occupied until a Certificate of Occupancy is issued.

---

**NOTICE: PRIOR TO THE REMOVAL OF ASBESTOS PRODUCTS OR THE DEMOLITION OF A STRUCTURE, FEDERAL AND STATE LAWS REQUIRE THE PERMITTEE (EITHER THE OWNER OR CONTRACTOR) TO SUBMIT A NOTICE OF THE INTENDED WORK TO THE STATE DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP). FOR MORE INFORMATION, CONTACT DEP AT (239) 344-5600.**

**In addition to the conditions of this permit, there may be additional restrictions applicable to this property that may be found in the public records of this county, and there may be additional permits required from other governmental entities such as water management districts, state agencies, or federal agencies.**

---

**WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH**

Attachment: Attachment D - Referenced Building Permits (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses / Taylor)

**YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT.**

Attachment: Attachment D - Referenced Building Permits (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses / Taylor)

# COLLIER COUNTY
# BOARD OF COUNTY COMMISSIONERS
# CERTIFICATE OF COMPLETION

This Certificate is issued pursuant to the requirements of the Florida Building Code certifying that at the time of issuance this structure was in compliance with the various ordinances of the county regulating building construction or use. For the following:

PERMIT NBR: PRBD2015082594701 CO NBR: STATUS: Finaled

CO TYPE: COMP ISSUED DATE: April 04, 2016

ADDRESS: 166 Tahiti CIR

SUBDIVISION:

LOT: BLOCK: T.R.S.:

SLUC CODE: UTILITY COMPANY:

JOB DESC: REPLACE EXISTING DOCK W (1) 10' X 20' FINGER PIER, (1) 4' X 20' FINGER PIER, (1) 289 SQ FT BOATHOUSE, (1) 10,000 LB ALUM-A-VATOR + (1) 7,000 LB ALUM-A-VATER, W/ELECTRIC TO BE REPLACED IN SAME FOOTPRINT AS EXISTING DOCK FACILITY
166 TAHITI CIR NUMBER OF METERS:

OWNER: TAYLOR, RICHARD A & MARY
MOSES, ROBERT G & AMY T

LEGAL DESCRIPTION

ISLES OF CAPRI NO 2 LOT 151

Note: A new certificate is required if the use of the building or premises is changed, or if alterations are made to the building or property described. A new certificate voids any certificate or prior date.

Attachment: Attachment D - Referenced Building Permits (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses / Taylor)

# COLLIER COUNTY
# BOARD OF COUNTY COMMISSIONERS

## PERMIT

**PERMIT #:** **PRBD2015072398601** PERMIT TYPE: MR
ISSUED: BY: APPLIED DATE: 07-23-15 APPROVAL DATE: 08-20-15
MASTER #: COA:

JOB ADDRESS: 166 Tahiti CIR
JOB DESCRIPTION: RIP RAP REPLACEMENT, INSTALL 84 TONS 6"X12" RIP RAP WITH FILTER FABRIC IN FRONT OF EXISTING SEAWALL, AND 4'X8' WEDGE OF RIP RAP WILL BE INSTALLED IN 74' SECTION, & 2'X4' WEDGE OF RIP RAP WILL BE INSTALLED IN FRONT 27' BOAD SLIP AREA
166 TAHITI CIR
JOB PHONE:

SUBDIVISION #: BLOCK: LOT:
FLOOD MAP: ZONE: ELEVATION:
FOLIO #: 52390680007 SECTION-TOWNSHIP-RANGE: 32-51-26

OWNER INFORMATION:
TAYLOR, RICHARD A & MARY MOSES,
ROBERT G & AMY T
166 TAHITI CIR
NAPLES , FL 34113-

CONTRACTOR INFORMATION:
NELSON MARINE CONSTRUCTION INC.
10900 EAST TERRY STREET
BONITA SPRINGS, FL 34135--

CERTIFICATE #: C26557 PHONE:

FCC CODE:
CONSTRUCTION CODE: 0218
JOB VALUE: $10,400.00 TOTAL RES SQFT: 0.00 TOTAL COMM SQFT: 0.00

SETBACKS FRONT: REAR: LEFT: RIGHT:
SEWER: WATER:
CONTACT NAME:
CONTACT PHONE:

Per Collier County Ordinance No. 2002-01, as it may be amended, all work must comply with all applicable laws, codes, ordinances, and any additional stipulations or conditions of this permit. This permit expires if work authorized by the permit is not commenced within six (6) months from the date of issuance of the permit. Additional fees for failing to obtain permits prior to the commencement of construction may be imposed. Permittee(s) further understands that any contractor that may be employed must be a licensed contractor and that the structure must not be used or occupied until a Certificate of Occupancy is issued.

**NOTICE: PRIOR TO THE REMOVAL OF ASBESTOS PRODUCTS OR THE DEMOLITION OF A STRUCTURE, FEDERAL AND STATE LAWS REQUIRE THE PERMITTEE (EITHER THE OWNER OR CONTRACTOR) TO SUBMIT A NOTICE OF THE INTENDED WORK TO THE STATE DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP). FOR MORE INFORMATION, CONTACT DEP AT (239) 344-5600.**

**In addition to the conditions of this permit, there may be additional restrictions applicable to this property that may be found in the public records of this county, and there may be additional permits required from other governmental entities such as water management districts, state agencies, or federal agencies.**

**WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH**

Attachment: Attachment D - Referenced Building Permits (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses / Taylor)

YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT.

Attachment: Attachment D - Referenced Building Permits (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses / Taylor)

# COLLIER COUNTY
# BOARD OF COUNTY COMMISSIONERS
# CERTIFICATE OF COMPLETION

This Certificate is issued pursuant to the requirements of the Florida Building Code certifying that at the time of issuance this structure was in compliance with the various ordinances of the county regulating building construction or use. For the following:

PERMIT NBR: PRBD2015072398601 CO NBR: STATUS: Finaled

CO TYPE: COMP ISSUED DATE: January 27, 2016

ADDRESS: 166 Tahiti CIR

SUBDIVISION:

LOT: BLOCK: T.R.S.:

SLUC CODE: UTILITY COMPANY:

JOB DESC: RIP RAP REPLACEMENT, INSTALL 84 TONS 6"X12" RIP RAP WITH FILTER FABRIC IN FRONT OF EXISTING SEAWALL, AND 4'X8' WEDGE OF RIP RAP WILL BE INSTALLED IN 74' SECTION, & 2'X4' WEDGE OF RIP RAP WILL BE INSTALLED IN FRONT 27' BOAD SLIP AREA
166 TAHITI CIR NUMBER OF METERS:

OWNER: TAYLOR, RICHARD A & MARY
MOSES, ROBERT G & AMY T

LEGAL DESCRIPTION

ISLES OF CAPRI NO 2 LOT 151

Note: A new certificate is required if the use of the building or premises is changed, or if alterations are made to the building or property described. A new certificate voids any certificate or prior date.

Attachment: Attachment D - Referenced Building Permits (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses / Taylor)

✱BDE-PL20190000674
166 Tahiti Cir - Taylor/Moses

## HEARING PACKAGE CHECKLIST

### A. Backup provided by the County Planner

**The agent is responsible for all required data included in the digital file of information for the Hearing Examiner (Hex) or the Collier County Planning Commission (CCPC). DO NOT ACCEPT DUPLICATES OF ANY DOCUMENTS. MAKE SURE ONLY THE LATEST, ACCEPTED/APPROVED COPY OF THE BELOW DOCUMENTATION. PLEASE CONFIRM THE DOCUMENTS ARE IN THE ORDER DESCRIBED IN "BACKUP PROVIDED BY APPLICANT."**

**Planner responsible for providing the County Attorney-drafted Ordinance for PUDs and placing in backup materials. AGENTS DO NOT INCLUDE THE PUD DOCUMENT – STAFF PROVIDES THIS TO THE COUNTY ATTORNEY WHEN THE ORDINANCE IS DRAFTED FOR A PUD. THE FINAL PUD ORDINANCE/RESOLUTION IS THE FIRST ITEM AFTER THE STAFF REPORT. [FOR HEX, THE REQUESTED LANGUAGE/ PROPOSED PLAN IS THE FIRST ITEM AFTER THE STAFF REPORT]**

### B. Backup provided by Applicant:

**PLEASE PROVIDE THE DOCUMENTS IN THE ORDER DESCRIBED BELOW. DO NOT PROVIDE DUPLICATES OF ANY DOCUMENTS. PROVIDE ONLY THE LATEST, ACCEPTED/APPROVED COPY OF THE BELOW DOCUMENTATION. IF THE BACKUP PROVIDED BY APPLICANT IS IN DISARRAY-MEANING IT IS NOT IN THE PROPER ORDER AND/OR THE APPLICANT PROVIDES MULTIPLE DUPLICATES-THE APPLICANT COULD LOSE ITS HEARING DATE.**

- ✓ Application, to include but not limited to the following:
  - ✓ Narrative of request
  - ✓ Property Information
  - ✓ Property Ownership Disclosure Form
  - ✓ Any other documents required by the specific petition type; such as a variance, a boat dock extension; PUD amendment, rezone request, etc.
- ____ Disclosure of Property Ownership Interest (if there is additional documentation aside from disclosure form)
- ____ Affidavit of Unified Control
- ✓ Affidavit of Representation
- ✓ Drawings (may include Cross-Section (for BDEs generally), proposed Boat Dock(s) with Water depth, location maps etc.)
- ____ NIM Information (Sign in sheet, notes, minutes and transcript/or summary)
  - ✓ Include 3 thumbnail drives of video and/or audio
- ____ Traffic Impact Study (TIS)
- ____ Environmental Data
- ____ Historical/Archeological Survey or Waiver
- ____ Utility Letter
- ✓ ~~Deviation~~ Justifications



Attachment: Attachment E - Hearing Package PL20190000674 (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses / Taylor)

✓ Boundary Survey

✓ Other documents, as needed, on a case-by-case basis such as relevant prior Ordinances, Conditional Uses, historical documents, any "private or legal" agreements affecting the PUD etc.

___ Submerged Resource Surveys may be included here if required.

→ **flash drive with *only one* pdf file for all documents** – or Email

I understand that by submitting the above materials, it is the agent's/applicant's responsibility to ensure all materials are in the same order for flash drive must contain the documents in one pdf file. It is the agent's responsibility to ensure no documentation is left out.

Jeff Rogers
Signature of Agent Representative

05/03/2021
Date

Jeff Rogers
Printed Name of Signing Agent Representative

Attachment: Attachment E - Hearing Package PL20190000674 (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses / Taylor)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

# DOCK FACILITY EXTENSION OR BOATHOUSE ESTABLISHMENT PETITION

LDC Section 5.03.06
Ch. 3 B. of the Administrative Code

THIS PETITION IS FOR (check one): ☒ DOCK EXTENSION ☒ BOATHOUSE

**PROJECT NUMBER**
**PROJECT NAME**
**DATE PROCESSED**

*To be completed by staff*

## APPLICANT INFORMATION

**Name of Property Owner(s):** Robert & Amy Moses / Richard & Mary Taylor

**Name of Applicant if different than owner:** _____

**Address:** 166 Tahiti Circle **City:** Naples **State:** FL **ZIP:** 34113

**Telephone:** _____ **Cell:** _____ **Fax:** _____

**E-Mail Address:** _____

**Name of Agent(s):** Jeff Rogers

**Firm:** Turrell, Hall & Associates, Inc.

**Address:** 3584 Exchange Ave **City:** Naples **State:** FL **ZIP:** 34104

**Telephone:** 239-643-0166 **Cell:** 239-784-0081 **Fax:** 239-643-6632

**E-Mail Address:** Jeff@thanaples.com

## PROPERTY LOCATION

**Section/Township/Range:** 32 / 51 / 26 **Property I.D. Number:** 52390680007

**Subdivision:** 426700 - Isles of Capri **Unit:** 2 **Lot:** 151 **Block:** _____

**Address/ General Location of Subject Property:**
166 Tahiti Circle

**Current Zoning and Land use of Subject Property:**
Residential Single-family



Attachment: Attachment E - Hearing Package PL20190000674 (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses / Taylor)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

**BE AWARE THAT COLLIER COUNTY HAS LOBBYIST REGULATIONS. GUIDE YOURSELF ACCORDINGLY AND ENSURE THAT YOU ARE IN COMPLIANCE WITH THESE REGULATIONS.**

## ADJACENT ZONING AND LAND USE

| | Zoning | Land Use |
|---|---|---|
| N | A-ST | Residential Single-family |
| S | RSF-4 | Residential Single-family |
| E | RSF-4 | Residential Single-family |
| W | A-ST | Capri Pass/Johnson Bay |

## DESCRIPTION OF PROJECT

**Narrative description of project** (indicate extent of work, new dock, replacement, addition to existing facility, any other pertinent information):

The proposed docking facility was originally damaged during Hurricane Irma which has since been rebuilt. The dock after being rebuilt now protrudes out past the allowed 20-feet and therefore needs an after the fact BDE approval. Also included is the boathouse which was also constructed without proper approvals.

The applicants are requesting a 4.4' feet extension from the allowed 20-feet as well as a boathouse approval.

## SITE INFORMATION

1. **Waterway Width:**
   1,890 ft. Measurement from ☐ plat ☐ survey ☐ visual estimate
   ☒ other (specify) aerial
2. **Total Property Water Frontage:**
   85 ft.
3. **Setbacks:**
   Provided: 20.6 & 49 ft.
   Required: 15 & 15 ft.
4. **Total Protrusion of Proposed Facility into Water:**
   24.4 ft.
5. **Number and Length of Vessels to use Facility:**
   1. 19 ft.
   2. (2) PWC ft.
6. **List any additional dock facilities in close proximity to the subject property and indicate the total protrusion into the waterway of each:**
   All the adjacent neighboring docks protrude 19-feet to 50-feet out into the same waterway.
7. **Signs are required to be posted for all petitions. On properties that are 1 acre or larger in size, the applicant shall be responsible for erecting the required sign. What is the size of the petitioned property?** 0.19 Acres



Attachment: Attachment E - Hearing Package PL20190000674 (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses / Taylor)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

**8. Official Interpretations or Zoning Verifications:**

To your knowledge, has there been an official interpretation or zoning verification rendered on this property within the last year? ☐ Yes ☒ No If yes, please provide copies.

## PRIMARY CRITERIA

**The following criteria, pursuant to LDC section 5.03.06, shall be used as a guide by staff in determining its recommendation to the Office of the Hearing Examiner. The Hearing Examiner will utilize the following criteria as a guide in the decision to approve or deny a particular Dock Extension request. In order for the Hearing Examiner to approve the request, it must be determined that at least 4 of the 5 primary criteria, and at least 4 of the 6 secondary criteria, must be met. On separate sheets, please provide a narrative response to the listed criteria and/or questions.**

1. Whether or not the number of dock facilities and/or boat slips proposed is appropriate in relation to the waterfront length, location, upland land use, and zoning of the subject property; consideration should be made of property on unbridged barrier islands, where vessels are the primary means of transportation to and from the property. (The number should be appropriate; typical, single-family use should be no more than two slips; typical multi-family use should be one slip per dwelling unit; in the case of unbridged barrier island docks, additional slips may be appropriate.)

2. Whether or not the water depth at the proposed site is so shallow that a vessel of the general length, type, and draft as that described in the petitioner's application is unable to launch or moor at mean low tide (MLT). (The petitioner's application and survey should show that the water depth is too shallow to allow launch and mooring of the vessel (s) described without an extension.)

3. Whether or not the proposed dock facility may have an adverse impact on navigation within an adjacent marked or charted navigable channel. (The facility should not intrude into any marked or charted navigable channel thus impeding vessel traffic in the channel.)

4. Whether or not the proposed dock facility protrudes no more than 25 percent of the width of the waterway, and whether or not a minimum of 50 percent of the waterway width between dock facilities on either side of the waterway is maintained for navigability. (The facility should maintain the required percentages.)

5. Whether or not the proposed location and design of the dock facility is such that the facility would not interfere with the use of neighboring docks. (The facility should not interfere with the use of legally permitted neighboring docks.)

Attachment: Attachment E - Hearing Package PL20190000674 (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses / Taylor)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

## SECONDARY CRITERIA

1. Whether or not there are special conditions, not involving water depth, related to the subject property or waterway, which justify the proposed dimensions and location of the proposed dock facility. (There must be at least one special condition related to the property; these may include type of shoreline reinforcement, shoreline configuration, mangrove growth, or seagrass beds.)

2. Whether the proposed dock facility would allow reasonable, safe, access to the vessel for loading/unloading and routine maintenance, without the use of excessive deck area not directly related to these functions. (The facility should not use excessive deck area.)

3. For single-family dock facilities, whether or not the length of the vessel, or vessels in combination, described by the petitioner exceeds 50 percent of the subject property's linear waterfront footage. (The applicable maximum percentage should be maintained.)

4. Whether or not the proposed facility would have a major impact on the waterfront view of neighboring waterfront property owners. (The facility should not have a major impact on the view of either property owner.)

5. Whether or not seagrass beds are located within 200 feet of the proposed dock facility. (If seagrass beds are present, compliance with LDC subsection 5.03.06 I must be demonstrated.)

6. Whether or not the proposed dock facility is subject to the manatee protection requirements of LDC subsection 5.03.06 E.11. (If applicable, compliance with subsection 5.03.06.E.11 must be demonstrated.)

Attachment: Attachment E - Hearing Package PL20190000674 (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses / Taylor)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

**Pre-Application Meeting and Final Submittal Requirement Checklist for:**

☒ Dock Extension

☐ Boathouse

Chapter 3 B. of the Administrative Code

The following Submittal Requirement Checklist is to be utilized during the Pre-Application Meeting, and at time of application submittal. At time of submittal, the checklist is to be completed and submitted with the application packet. Please provide the submittal items in the exact order listed below, with cover sheets attached to each section. **Incomplete submittals will not be accepted.**

| REQUIREMENTS FOR REVIEW | # OF COPIES | REQUIRED | NOT REQUIRED |
|---|---|---|---|
| Completed Application (download current form from County website) | 1 | ☒ | ☐ |
| Property Ownership Disclosure Form | 1 | ☒ | ☐ |
| Signed and Sealed Survey | 1 | ☐ | ☐ |
| Chart of Site Waterway | 1 | ☐ | ☐ |
| Site Plan Illustration with the following:<br>• Lot dimensions;<br>• Required setbacks for the dock facility;<br>• Cross section showing relation to MHW/MLW and shoreline (bank, seawall, or rip-rap revetment);<br>• Configuration, location, and dimensions of existing and proposed facility;<br>• Water depth where proposed dock facility is to be located;<br>• Distance of navigable channel;<br>• Illustration of the contour of the property; and<br>• Illustration of dock facility from both an aerial and side view. | 1 | ☐ | ☐ |
| Affidavit of Authorization, signed and notarized | 1 | ☒ | ☐ |
| Completed Addressing Checklist | 1 | ☒ | ☐ |
| Electronic copy of all required documents<br>*Please be advised: The Office of the Hearing Examiner requires all materials to be submitted electronically in PDF format. | 1 | ☐ | ☐ |

**ADDITIONAL REQUIREMENTS FOR THE PUBLIC HEARING PROCESS:**

- Following the completion of the review process by County review staff, the applicant shall submit all materials electronically to the designated project manager.
- Please contact the project manager to confirm the number of additional copies required.

Attachment: Attachment E - Hearing Package PL20190000674 (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses / Taylor)

Collier County

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

**PLANNERS – INDICATE IF THE PETITION NEEDS TO BE ROUTED TO THE FOLLOWING REVIEWERS:**

| | | | |
|---|---|---|---|
| ☐ | Bayshore/Gateway Triangle Redevelopment: Executive Director | ☐ | Historical Review |
| ☐ | Addressing: Annis Moxam | ☐ | Parks and Recreation: David Berra |
| ☐ | City of Naples: Robin Singer, Planning Director | ☐ | School District (Residential Components): Amy Lockheart |
| ☐ | Conservancy of SWFL: Nichole Johnson | ☐ | Other: |
| ☐ | Emergency Management: Dan Summers; and/or EMS: Artie Bay | ☐ | Other: |

**FEE REQUIREMENTS:**

- ☐ **Boat Dock Extension Petition:** $1,500.00
- ☐ **Estimated Legal Advertising fee for the Office of the Hearing Examiner:** $1,125.00
- ☐ **An additional fee for property owner notifications will be billed to the applicant prior to the Hearing Examiner hearing date.**

*Fire Code Plans Review Fees are collected at the time of application submission and those fees are set forth by the Authority having jurisdiction. The Land Development Code requires Neighborhood Notification mailers for Applications headed to hearing, and this fee is collected prior to hearing.*

As the authorized agent/applicant for this petition, I attest that all of the information indicated on this checklist is included in this submittal package. I understand that failure to include all necessary submittal information may result in the delay of processing this petition.

*All checks payable to: Board of County Commissioners.*

The completed application, all required submittal materials, and fees shall be submitted to:

**Growth Management Department**
**Planning and Regulation**
**ATTN: Business Center**
**2800 North Horseshoe Drive**
**Naples, FL 34104**

Jeff Rogn
Signature of Petitioner or Agent

3.19.21
Date

Attachment: Attachment E - Hearing Package PL20190000674 (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses / Taylor)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

# PROPERTY OWNERSHIP DISCLOSURE FORM

**This is a required form with all land use petitions, except for Appeals and Zoning Verification Letters.**

Should any changes of ownership or changes in contracts for purchase occur subsequent to the date of application, but prior to the date of the final public hearing, it is the responsibility of the applicant, or agent on his behalf, to submit a supplemental disclosure of interest form.

**Please complete the following, use additional sheets if necessary.**

a. If the property is owned fee simple by an INDIVIDUAL, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest:

| Name and Address | % of Ownership |
|---|---|
| | |
| | |
| | |
| | |
| | |

b. If the property is owned by a CORPORATION, list the officers and stockholders and the percentage of stock owned by each:

| Name and Address | % of Ownership |
|---|---|
| | |
| | |
| | |
| | |
| | |

c. If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with the percentage of interest:

| Name and Address | % of Ownership |
|---|---|
| Robert G. Moses - 166 Tahiti Circle | 25 |
| Amy T. Moses - 166 Tahiti Circle | 25 |
| Deceased - Richard A. Taylor - 166 Tahiti Circle | 25 |
| Mary Taylor - 166 Tahiti Circle | 25 |
| | |



Attachment: Attachment E - Hearing Package PL20190000674 (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses / Taylor)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

d. If the property is in the name of a GENERAL or LIMITED PARTNERSHIP, list the name of the general and/or limited partners:

| Name and Address | % of Ownership |
|---|---|
| | |
| | |
| | |
| | |

e. If there is a CONTRACT FOR PURCHASE, with an individual or individuals, a Corporation, Trustee, or a Partnership, list the names of the contract purchasers below, including the officers, stockholders, beneficiaries, or partners:

| Name and Address | % of Ownership |
|---|---|
| | |
| | |
| | |
| | |
| | |

**Date of Contract:** _____

f. If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust:

| Name and Address |
|---|
| |
| |
| |
| |
| |

g. Date subject property acquired _____

☐ **Leased: Term of lease _____ years /months**

If, Petitioner has option to buy, indicate the following:



Attachment: Attachment E - Hearing Package PL20190000674 (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses / Taylor)

Collier County

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

Date of option: _____

Date option terminates: _____, or

Anticipated closing date: _____

## AFFIRM PROPERTY OWNERSHIP INFORMATION

**Any petition required to have Property Ownership Disclosure, will not be accepted without this form. Requirements for petition types are located on the associated application form. Any change in ownership whether individually or with a Trustee, Company or other interest-holding party, must be disclosed to Collier County immediately if such change occurs prior to the petition's final public hearing.**

As the authorized agent/applicant for this petition, I attest that all of the information indicated on this checklist is included in this submittal package. I understand that failure to include all necessary submittal information may result in the delay of processing this petition.

The completed application, all required submittal materials, and fees shall be submitted to:

Growth Management Department
ATTN: Business Center
2800 North Horseshoe Drive
Naples, FL 34104

Agent/Owner Signature

9/21/18
Date

Robert G. Moses
Agent/Owner Name (please print)



Attachment: Attachment E - Hearing Package PL20190000674 (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses / Taylor)

## PRIMARY CRITERIA

**The following criteria, pursuant to LDC section 5.03.06, shall be used as a guide by staff in determining its recommendation to the Office of the Hearing Examiner. The Hearing Examiner will utilize the following criteria as a guide in the decision to approve or deny a particular Dock Extension request. In order for the Hearing Examiner to approve the request, it must be determined that at least 4 of the 5 primary criteria, and at least 4 of the 6 secondary criteria, must be met. On separate sheets, please provide a narrative response to the listed criteria and/or questions.**

1. Whether or not the number of dock facilities and/or boat slips proposed is appropriate in relation to the waterfront length, location, upland land use, and zoning of the subject property; consideration should be made of property on unbridged barrier islands, where vessels are the primary means of transportation to and from the property. (The number should be appropriate; typical, single-family use should be no more than two slips; typical multi-family use should be one slip per dwelling unit; in the case of unbridged barrier island docks, additional slips may be appropriate.)

   **The subject property is zoned for a single family residential unit which warrants no more than 2 slips per the CC-LDC. The proposed project consists of one boatlift for a 19-foot vessel and one jet ski lift for two PWC. The existing dock and boathouse extend out 24.4-feet from the plotted property line which is 4.4-feet of protrusion from the allowed 20-feet.**

2. Whether or not the water depth at the proposed site is so shallow that a vessel of the general length, type, and draft as that described in the petitioner's application is unable to launch or moor at mean low tide (MLT). (The petitioner's application and survey should show that the water depth is too shallow to allow launch and mooring of the vessel (s) described without an extension.)

   **The reason for this BDE request is based on a dock and boathouse that was rebuilt after Hurricane Irma demolished the previously existing docking facility. The plotted property line is located on the landward side of the seawall and the existing riprap along the seawall restricts where the boatlifts can be installed. Due to these on-site conditions any proposed dock and boatlift would require a BDE to avoid the riprap and allow the boatlift to function properly.**

3. Whether or not the proposed dock facility may have an adverse impact on navigation within an adjacent marked or charted navigable channel. (The facility should not intrude into any marked or charted navigable channel thus impeding vessel traffic in the channel.)

   **The existing docking facility is consistent with the other docks along the subject shoreline. As proposed the dock and boatlifts will not impact navigation as the adjacent neighboring docks extend out past what the applicant is requesting within this BDE.**

Attachment: Attachment E - Hearing Package PL20190000674 (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses / Taylor)

4. Whether or not the proposed dock facility protrudes no more than 25 percent of the width of the waterway, and whether or not a minimum of 50 percent of the waterway width between dock facilities on either side of the waterway is maintained for navigability. (The facility should maintain the required percentages.)

   **The approximate waterway width is 900-feet wide. The existing dock protrusion is 24.4-feet which is under 3% width of the waterway.**

5. Whether or not the proposed location and design of the dock facility is such that the facility would not interfere with the use of neighboring docks. (The facility should not interfere with the use of legally permitted neighboring docks.)

   **The existing docking facility currently provides 20.6-feet and 49-feet of setbacks from the riparian lines which the required side yard setbacks are 15-feet. Therefore, this criterion has been met.**

Attachment: Attachment E - Hearing Package PL20190000674 (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses / Taylor)

## SECONDARY CRITERIA

1. Whether or not there are special conditions, not involving water depth, related to the subject property or waterway, which justify the proposed dimensions and location of the proposed dock facility. (There must be at least one special condition related to the property; these may include type of shoreline reinforcement, shoreline configuration, mangrove growth, or seagrass beds.)

   **The subject property location and shape in relation to adjacent properties has a very limited riparian area to design/construct a docking facility that can accommodate two boatlifts. Additionally the shoreline consist of a large rip-rap area which extends landward of the property line. Due to this condition the dock needs to protrude further out into the waterway in order to reach adequate water depths.**

2. Whether the proposed dock facility would allow reasonable, safe, access to the vessel for loading/unloading and routine maintenance, without the use of excessive deck area not directly related to these functions. (The facility should not use excessive deck area.)

   **The existing docking facility consist of 406 square feet of decking. The proposed project consists of rebuilding the entire dock and associated boatlifts to accommodate one 19-foot vessel and two PWC's. As proposed the dock will provide enough deck area for safe access to the vessel and PWC's as well as still provide deck area for recreational activities like fishing, kayaking, and paddle boarding.**

3. For single-family dock facilities, whether or not the length of the vessel, or vessels in combination, described by the petitioner exceeds 50 percent of the subject property's linear waterfront footage. (The applicable maximum percentage should be maintained.)

   **The existing docking facility has been designed to moor one vessel 19-feet in length and 2 personal watercrafts (PWC) on the proposed decked over boatlift. Therefore this criteria is not met.**

4. Whether or not the proposed facility would have a major impact on the waterfront view of neighboring waterfront property owners. (The facility should not have a major impact on the view of either property owner.)

   **As proposed the dock has been designed within the designated setbacks and is consistent with others on this waterway. Therefore no new impacts to neighboring property views of the waterway will result from the proposed project.**

5. Whether or not seagrass beds are located within 200 feet of the proposed dock facility. (If seagrass beds are present, compliance with LDC subsection 5.03.06 I must be demonstrated.)

Attachment: Attachment E - Hearing Package PL20190000674 (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses / Taylor)

**There are no seagrass beds present on the property nor the neighboring properties within 200' of the existing dock structure**

6. Whether or not the proposed dock facility is subject to the manatee protection requirements of LDC subsection 5.03.06 E.11. (If applicable, compliance with subsection 5.03.06.E.11 must be demonstrated.)

**The proposed work is a single family dock facility and therefore not subject to Manatee Protection Requirements**

Attachment: Attachment E - Hearing Package PL20190000674 (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses / Taylor)

# AFFIDAVIT OF AUTHORIZATION

**FOR PETITION NUMBERS(S)** PL20190000674

Amy T. Moses (print name), as Owner (title, if applicable) of 166 Tahiti Circle (company, if applicable), swear or affirm under oath, that I am the (choose one) owner [✓] applicant [ ] contract purchaser [ ] and that:

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the County in accordance with this application and the Land Development Code;
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I have authorized the staff of Collier County to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made through this application; and that
4. The property will be transferred, conveyed, sold or subdivided subject to the conditions and restrictions imposed by the approved action.
5. We/I authorize Turrell, Hall & Associates, Inc to act as our/my representative in any matters regarding this petition including 1 through 2 above.

*Notes:*

- *If the applicant is a corporation, then it is usually executed by the corp. pres. or v. pres.*
- *If the applicant is a Limited Liability Company (L.L.C.) or Limited Company (L.C.), then the documents should typically be signed by the Company's "Managing Member."*
- *If the applicant is a partnership, then typically a partner can sign on behalf of the partnership.*
- *If the applicant is a limited partnership, then the general partner must sign and be identified as the "general partner" of the named partnership.*
- *If the applicant is a trust, then they must include the trustee's name and the words "as trustee".*
- *In each instance, first determine the applicant's status, e.g., individual, corporate, trust, partnership, and then use the appropriate format for that ownership.*

**Under penalties of perjury, I declare that I have read the foregoing Affidavit of Authorization and that the facts stated in it are true.**

Amy T. Moses
**Signature**

1/8/20
**Date**

**STATE OF FLORIDA**
**COUNTY OF COLLIER**

The foregoing instrument was sworn to (or affirmed) and subscribed before me on 01/08/2020 (date) by Amy T Moses (name of person providing oath or affirmation), as owner who is personally known to me or who has produced N/A (type of identification) as identification.

**Signature of Notary Public**

**STAMP/SEAL**

Notary Public State of Florida
Bernice M Clark
My Commission FF 962688
Expires 02/18/2020

CP\88-COA-00115\155
REV 3/24/14

Attachment: Attachment E - Hearing Package PL20190000674 (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses / Taylor)

# AFFIDAVIT OF AUTHORIZATION

**FOR PETITION NUMBERS(S)** PL20190000674

I, MARY TAYLOR (print name), as Owner (title, if applicable) of 166 Tahiti Circle (company, If applicable), swear or affirm under oath, that I am the (choose one) owner [✓] applicant [ ] contract purchaser [ ] and that:

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the County in accordance with this application and the Land Development Code;
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I have authorized the staff of Collier County to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made through this application; and that
4. The property will be transferred, conveyed, sold or subdivided subject to the conditions and restrictions imposed by the approved action.
5. We/I authorize Turrell, Hall & Associates, Inc to act as our/my representative in any matters regarding this petition including 1 through 2 above.

*Notes:*

- *If the applicant is a corporation, then it is usually executed by the corp. pres. or v. pres.*
- *If the applicant is a Limited Liability Company (L.L.C.) or Limited Company (L.C.), then the documents should typically be signed by the Company's "Managing Member."*
- *If the applicant is a partnership, then typically a partner can sign on behalf of the partnership.*
- *If the applicant is a limited partnership, then the general partner must sign and be identified as the "general partner" of the named partnership.*
- *If the applicant is a trust, then they must include the trustee's name and the words "as trustee".*
- *In each instance, first determine the applicant's status, e.g., individual, corporate, trust, partnership, and then use the appropriate format for that ownership.*

**Under penalties of perjury, I declare that I have read the foregoing Affidavit of Authorization and that the facts stated in it are true.**

Mary Taylor
**Signature**

1/8/2020
**Date**

**STATE OF FLORIDA**
**COUNTY OF COLLIER**

The foregoing instrument was sworn to (or affirmed) and subscribed before me on 1/8/2020 (date) by Mary Taylor (name of person providing oath or affirmation), as owner who is personally known to me or who has produced N/A (type of identification) as identification.

**STAMP/SEAL**

Notary Public State of Florida
Bernice M Clark
My Commission FF 962688
Expires 02/18/2020

**Signature of Notary Public**

CP\08-COA-00115\155
REV 3/24/14

Attachment: Attachment E - Hearing Package PL20190000674 (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses / Taylor)

# AFFIDAVIT OF AUTHORIZATION

**FOR PETITION NUMBERS(S)** PL20190000674

I, Robert G. Moses (print name), as Owner (title, if applicable) of 166 Tahiti Circle (company, if applicable), swear or affirm under oath, that I am the (choose one) owner [✔] applicant [ ] contract purchaser [ ] and that:

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the County in accordance with this application and the Land Development Code;
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I have authorized the staff of Collier County to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made through this application; and that
4. The property will be transferred, conveyed, sold or subdivided subject to the conditions and restrictions imposed by the approved action.
5. We/I authorize Turrell, Hall & Associates, Inc to act as our/my representative in any matters regarding this petition including 1 through 2 above.

*Notes:*

- *If the applicant is a corporation, then it is usually executed by the corp. pres. or v. pres.*
- *If the applicant is a Limited Liability Company (L.L.C.) or Limited Company (L.C.), then the documents should typically be signed by the Company's "Managing Member."*
- *If the applicant is a partnership, then typically a partner can sign on behalf of the partnership.*
- *If the applicant is a limited partnership, then the general partner must sign and be identified as the "general partner" of the named partnership.*
- *If the applicant is a trust, then they must include the trustee's name and the words "as trustee".*
- *In each instance, first determine the applicant's status, e.g., individual, corporate, trust, partnership, and then use the appropriate format for that ownership.*

**Under penalties of perjury, I declare that I have read the foregoing Affidavit of Authorization and that the facts stated in it are true.**

Signature

1/8/20
Date

**STATE OF FLORIDA**
**COUNTY OF COLLIER**

The foregoing instrument was sworn to (or affirmed) and subscribed before me on 01/08/2020 (date) by Robert G Moses (name of person providing oath or affirmation), as owner who is personally known to me or who has produced N/A (type of identification) as identification.

**STAMP/SEAL**

Notary Public State of Florida
Bernice M Clark
My Commission FF 962688
Expires 02/18/2020

**Signature of Notary Public**

CP/88-COA-00115\155
REV 3/24/14

Attachment: Attachment E - Hearing Package PL20190000674 (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses / Taylor)

# GEORGIA DEATH CERTIFICATE

State File Number **2019GA000037008**

| | | | |
|---|---|---|---|
| 1. DECEDENT'S LEGAL FULL NAME (First, Middle, Last)<br>**RICHARD ALAN TAYLOR** | 1a. IF FEMALE, ENTER LAST NAME AT BIRTH | 2. SEX<br>**MALE** | 2a. DATE OF DEATH (Mo., Day, Year)<br>**ACTUAL DATE OF DEATH 06/04/2019** |

| | | | | | |
|---|---|---|---|---|---|
| 3. SOCIAL SECURITY NUMBER<br>**335-36-7833** | 4a. AGE *(Years)*<br>**73** | 4b. UNDER 1 YEAR<br>Mos. / Days | 4c. UNDER 1 DAY<br>Hours / Mins. | 5. DATE OF BIRTH (Mo., Day, Year)<br>**06/06/1945** | |

| | | | |
|---|---|---|---|
| 6. BIRTHPLACE<br>**ILLINOIS** | 7a. RESIDENCE - STATE<br>**FLORIDA** | 7b. COUNTY<br>**COLLIER** | 7c. CITY, TOWN<br>**NAPLES** |

| | | | |
|---|---|---|---|
| 7d. STREET AND NUMBER<br>**6482 BIRCHWOOD COURT** | 7e. ZIP CODE<br>**34109** | 7f. INSIDE CITY LIMITS?<br>**NO** | 8. ARMED FORCES?<br>**NO** |

| | |
|---|---|
| 8a USUAL OCCUPATION<br>**RETIRED** | 8b. KIND OF INDUSTRY OR BUSINESS<br>**EXECUTIVE** |

| | | |
|---|---|---|
| 9. MARITIAL STATUS<br>**MARRIED** | 10. SPOUSE NAME<br>**MARY LOUISE MACKENZIE** | 11. FATHER'S FULL NAME (First, Middle, Last)<br>**CHARLES TAYLOR** |

| | | |
|---|---|---|
| 12. MOTHER'S MAIDEN NAME (First, Middle, Last)<br>**ORALIA PAULINE HACQUET** | 13a. INFORMANT'S NAME (First, Middle, Last)<br>**MARY LOUISE MACKENZIE TAYLOR** | 13b. RELATIONSHIP TO DECEDENT<br>**SPOUSE** |

| | |
|---|---|
| 13c. MAILING ADDRESS<br>**6482 BIRCHWOOD COURT NAPLES FLORIDA 34109** | 14. DECEDENT'S EDUCATION<br>**BACHELOR'S DEGREE** |

| | |
|---|---|
| 15. ORIGIN OF DECEDENT *(Italian, Mex.,French, English, etc.)*<br>**NO, NOT SPANISH/HISPANIC/LATINO** | 16. DECEDENT'S RACE *(White, Black, American Indian, etc.) (Specify)*<br>**WHITE** |

| | |
|---|---|
| 17a. IF DEATH OCCURRED IN HOSPITAL<br>**INPATIENT** | 17b. IF DEATH OCCURRED OTHER THAN HOSPITAL (Specify) |

| | | |
|---|---|---|
| 18. HOSPITAL OR OTHER INSTITUTION NAME *(If not in either give street and no.)*<br>**PIEDMONT ATLANTA HOSP** | 19. CITY, TOWN or LOCATION OF DEATH<br>**ATLANTA** | 20. COUNTY OF DEATH<br>**FULTON** |

| | | |
|---|---|---|
| 21. METHOD OF DISPOSITION (specify)<br>**CREMATION** | 22. PLACE OF DISPOSITION<br>**CREMATION SOCIETY OF THE SOUTH 225 CURIE STE 100 DRIVE ALPHARETTA GEORGIA 30005** | 23. DISPOSITION DATE (Mo., Day, Year)<br>**06/05/2019** |

| | | |
|---|---|---|
| 24a. EMBALMER'S NAME | 24b. EMBALMER LICENSE NO. | 25. FUNERAL HOME NAME<br>**SOUTHCARE CREMATION AND FUNERAL SOCIETY** |

25a. FUNERAL HOME ADDRESS
**595 FRANKLIN ROAD SE MARIETTA GEORGIA 30067**

| | | |
|---|---|---|
| 26a. SIGNATURE OF FUNERAL DIRECTOR<br>**RENEE DOUGHERTY GAZAWAY** | 26b. FUN. DIR. LICENSE NO<br>**4137** | AMENDMENTS |

| | |
|---|---|
| 27. DATE PRONOUNCED DEAD (Mo., Day, Year)<br>**06/04/2019** | 28. HOUR PRONOUNCED DEAD<br>**01:28 AM** |

| | | |
|---|---|---|
| 29a. PRONOUNCER'S NAME<br>**LAURA K MAYOVER** | 29b. LICENSE NUMBER<br>**267781** | 29c. DATE SIGNED<br>**06/04/2019** |

| | |
|---|---|
| 30. TIME OF DEATH<br>**01:28 AM** | 31. WAS CASE REFERRED TO MEDICAL EXAMINER<br>**NO** |

32. Part I. Enter the chain of events-diseases, injuries, or complications that directly caused the death. DO NOT enter terminal events such as cardiac arrest, respiratory arrest, Or ventricular fibrillation without showing the etiology. DO NOT ABBREVIATE.

| | | Approximate interval between onset and death |
|---|---|---|
| IMMEDIATE CAUSE (Final disease or condition resulting in death) | A. **MIXED SEPTIC, CARDIOGENIC SHOCK** | **14 DAYS** |
| | Due to, or as a consequence of | |
| | B. **TRICUSPID VALVE REGURGITATION AND HEART FAILURE** | **2 YEARS** |
| | Due to, or as a consequence of | |
| | C. | |
| | Due to, or as a consequence of | |
| | D. | |

| | | |
|---|---|---|
| Part II. Enter significant conditions contributing to death but not related to cause given in Part 1A. *If female, indicate if pregnant or birth occurred within 90 days of death.* | 33. WAS AUTOPSY PERFORMED?<br>**NO** | 34. WERE AUTOPSY FINDINGS AVAILABLE TO COMPLETE THE CAUSE OF DEATH? |

| | | | |
|---|---|---|---|
| 35. TOBACCO USE CONTRIBUTED TO DEATH<br>**NO** | 36. IF FEMALE (range 10-54) PREGNANT<br>**NOT APPLICABLE** | 37. ACCIDENT, SUICIDE, HOMICIDE, UNDETERMINED (Specify)<br>**NATURAL** | |

| | | | |
|---|---|---|---|
| 38. DATE OF INJURY (Mo., Day, Year) | 39. TIME OF INJURY | 40. PLACE OF INJURY (Home, Farm, Street, Factory, Office, Etc.) (Specify) | 41. INJURY AT WORK? (Yes or No) |

42. LOCATION OF INJURY *(Street, Apartment Number, City or Town, State, Zip, County)*

| | |
|---|---|
| 43. DESCRIBE HOW INJURY OCCURRED | 44. IF TRANSPORTATION INJURY |

| | |
|---|---|
| 45. To the best of my knowledge death occurred at the time, date and place and due to the cause(s) stated. Medical Certifier (Name, Title, License No.)<br>**SAGAR SUBHASH DAMLE, MD, 063769** | 46. On the basis of examination and/or investigation, in my opinion death occurred at the time, date and place and due to the cause(s) stated. Medical Examiner/Coroner (Name, Title, License No.) |

| | | | |
|---|---|---|---|
| 45a. DATE SIGNED (Mo., Day, Year)<br>**06/07/2019** | 45b. HOUR OF DEATH<br>**01:28 AM** | 46a. DATE SIGNED (Mo., Day, Year) | 46b. HOUR OF DEATH |

47. NAME, ADDRESS, AND ZIP CODE OF PERSON COMPLETING CAUSE OF DEATH
**SAGAR SUBHASH DAMLE 95 COLLIER ROAD NW ATLANTA GEORGIA 30309**

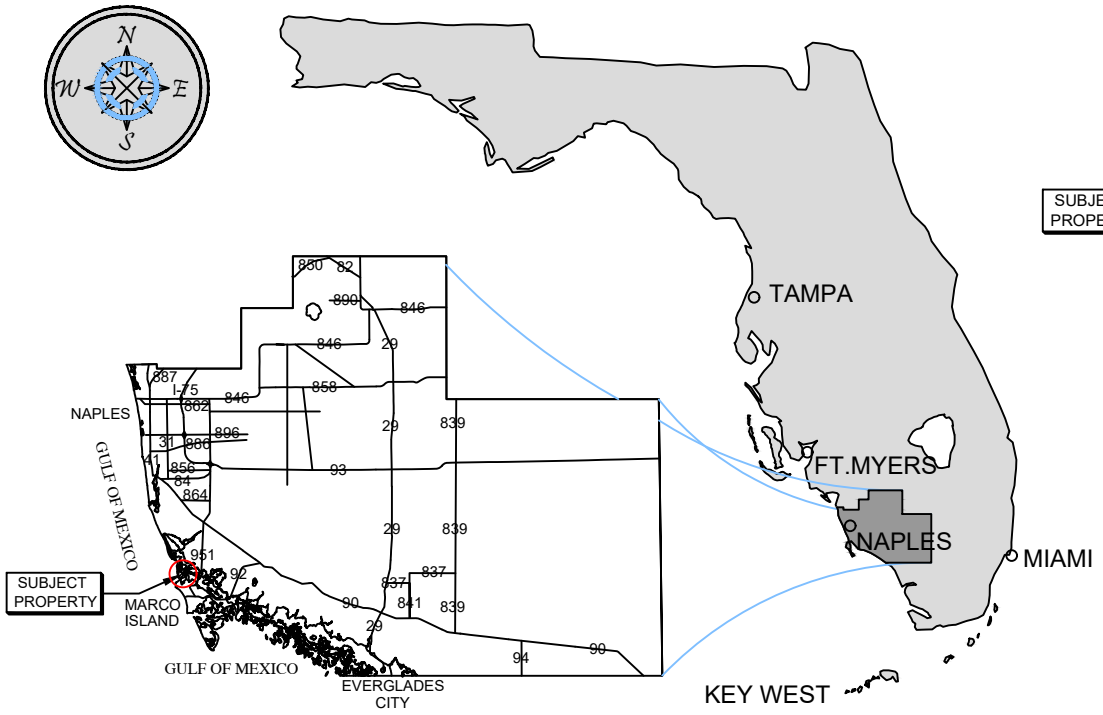
| | |
|---|---|
| 48.REGISTRAR (Signature)<br>**/S/ CHRISTOPHER JP HARRISON** | 49. DATE FILED - REGISTRAR *(Mo., Day, Year)*<br>**06/20/2019** |

Form 3903 (Rev. 04/2012), GEORGIA DEPARTMENT OF PUBLIC HEALTH

Attachment: Attachment E - Hearing Package PL20190000674 (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses / Taylor)

p:\19031.00 Imperial marine - 166 tahiti circle\CAD\PERMIT-COUNTY\19031-BDE.dwg LOCATION 3/15/2021

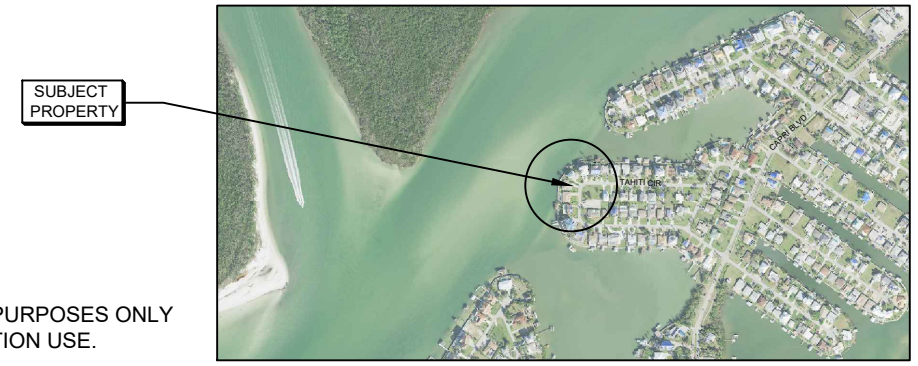
# STATE OF FLORIDA




## COLLIER COUNTY




## VICINITY MAP




## COUNTY AERIAL

**SITE ADDRESS:**
<> 166 TAHITI CIRCLE
NAPLES, FL 34113

**NOTES:**
<> THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.

<> LATITUDE: N 26.981449
<> LONGITUDE: W 81.733547

Turrell, Hall & Associates, Inc.
Marine & Environmental Consulting
3584 Exchange Ave. Naples, FL 34104-3732
Email: tuna@turrell-associates.com Phone: (239) 643-0166 Fax: (239) 643-6632

# 166 TAHITI CIRCLE

## LOCATION MAP

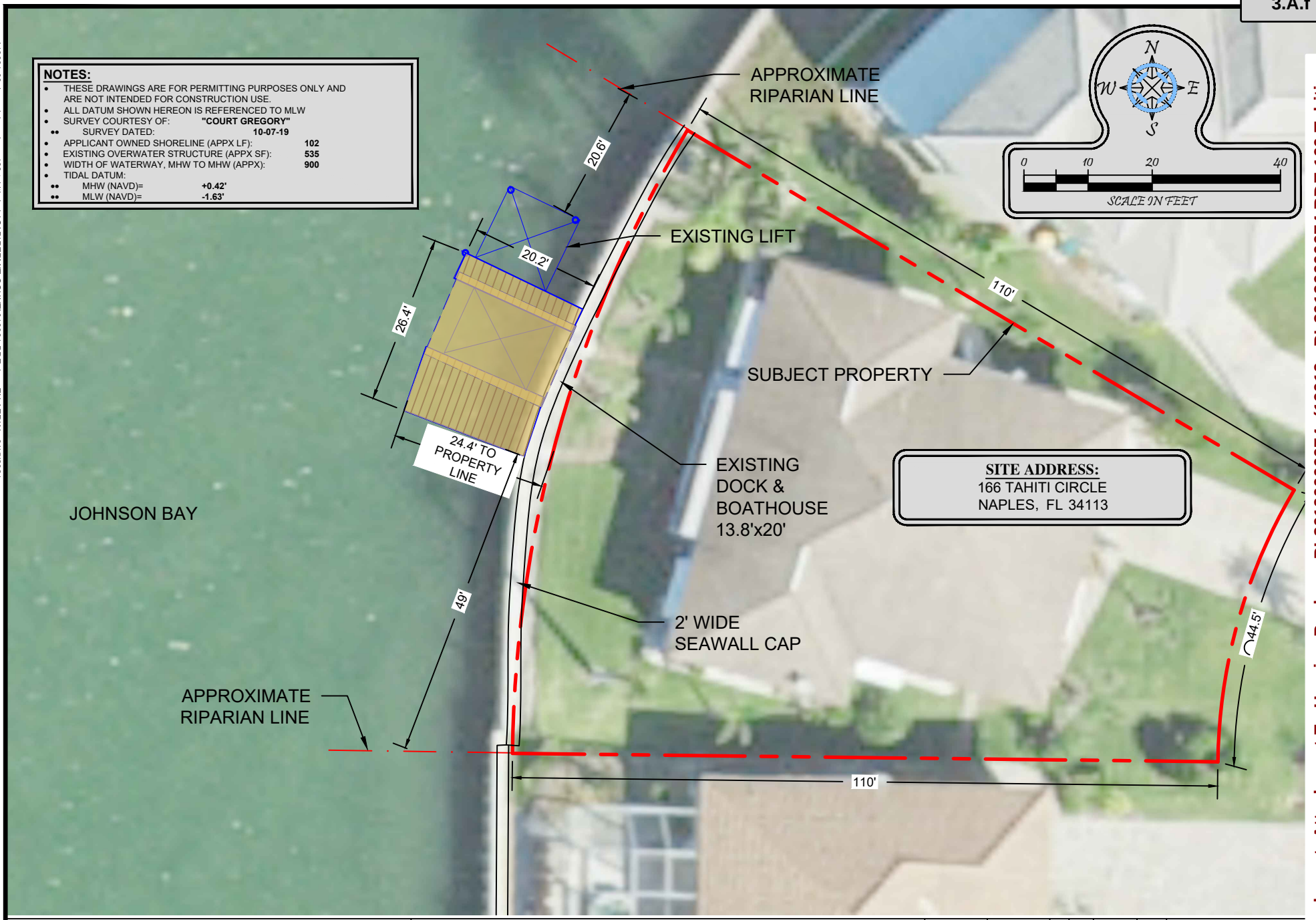
THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.

| | | REV# | REV BY: | DATE: | CHK BY: | CHANGED: |
|---|---|---|---|---|---|---|
| DESIGNED: | JR | 1. | RMJ | 10-29-19 | JR | PAGES 01-09 |
| DRAWN BY: | RMJ | 2. | - | - | - | - |
| CREATED: | 06-17-19 | 3. | - | - | - | - |
| JOB NO.: | 19031 | 4. | - | - | - | - |
| SHEET NO.: | 01 OF 10 | 5. | - | - | - | - |

SECTION- 32 TOWNSHIP- 51 S

Attachment: Attachment E - Hearing Package PL20190000674 (16019 : PL20190000674 BDE 166 Tahiti

p:\19031.00 imperial marine - 166 tahiti circle\CAD\PERMIT-COUNTY\19031-BDE.dwg EX AERIAL 3/15/2021




Turrell, Hall & Associates, Inc.
Marine & Environmental Consulting
3584 Exchange Ave. Naples, FL 34104-3732
Email: tuna@turrell-associates.com Phone: (239) 643-0166 Fax: (239) 643-6632

# 166 TAHITI CIRCLE

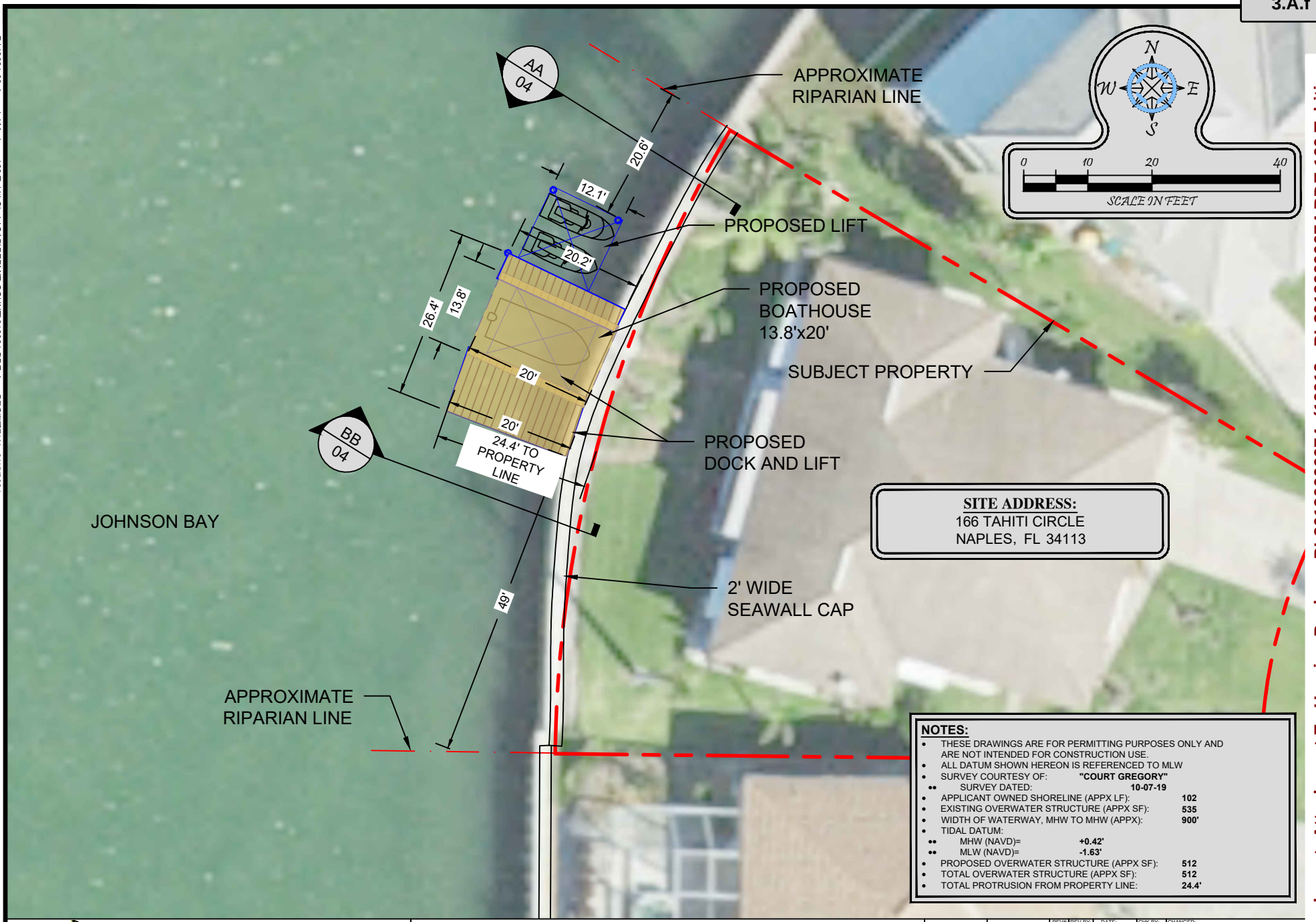
## EXISTING AERIAL

THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.

| | | REV# | REV BY: | DATE: | CHK BY: | CHANGED: |
|---|---|---|---|---|---|---|
| DESIGNED: | JR | 1. | RMJ | 10-29-19 | JR | ADD DIMS, REV. NOTE BOX |
| DRAWN BY: | RMJ | 2. | - | - | - | - |
| CREATED: | 06-17-19 | 3. | - | - | - | - |
| JOB NO.: | 19031 | 4. | - | - | - | - |
| SHEET NO.: | 02 OF 10 | 5. | - | - | - | - |

SECTION- 32 TOWNSHIP- 51 S

Attachment: Attachment E - Hearing Package PL20190000674 (16019 : PL20190000674 BDE 166 Tahiti




**SITE ADDRESS:**
166 TAHITI CIRCLE
NAPLES, FL 34113

**NOTES:**

- THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.
- ALL DATUM SHOWN HEREON IS REFERENCED TO MLW
- SURVEY COURTESY OF: **"COURT GREGORY"**
  - SURVEY DATED: **10-07-19**
- APPLICANT OWNED SHORELINE (APPX LF): **102**
- EXISTING OVERWATER STRUCTURE (APPX SF): **535**
- WIDTH OF WATERWAY, MHW TO MHW (APPX): **900'**
- TIDAL DATUM:
  - MHW (NAVD)= **+0.42'**
  - MLW (NAVD)= **-1.63'**
- PROPOSED OVERWATER STRUCTURE (APPX SF): **512**
- TOTAL OVERWATER STRUCTURE (APPX SF): **512**
- TOTAL PROTRUSION FROM PROPERTY LINE: **24.4'**

Turrell, Hall & Associates, Inc.
Marine & Environmental Consulting
3584 Exchange Ave. Naples, FL 34104-3732
Email: tuna@turrell-associates.com Phone: (239) 643-0166 Fax: (239) 643-6632

# 166 TAHITI CIRCLE

## PROPOSED AERIAL

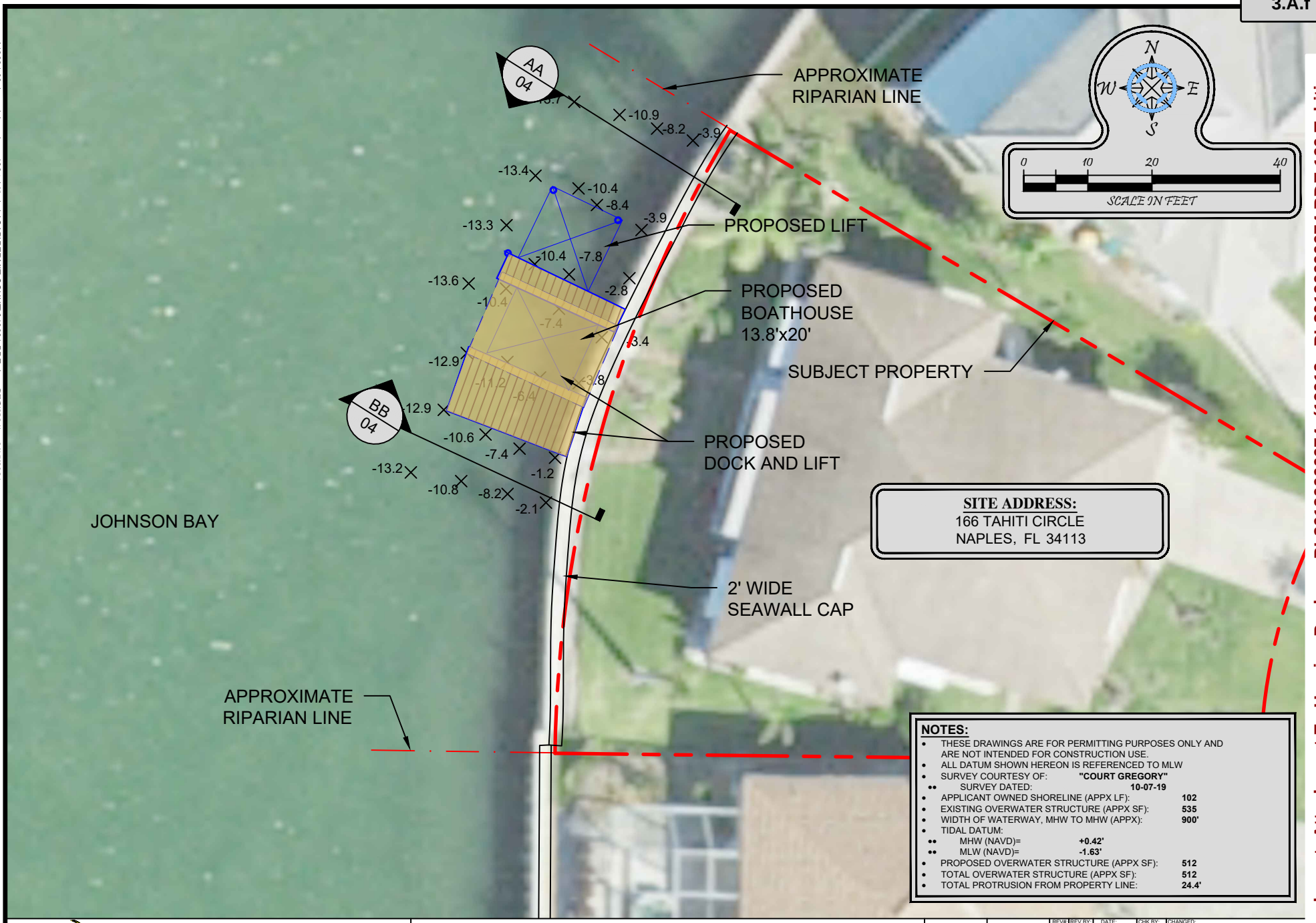
THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.

| | | REV# | REV BY: | DATE: | CHK BY: | CHANGED: |
|---|---|---|---|---|---|---|
| DESIGNED: | JR | 1. | RMJ | 10-29-19 | JR | REV. NOTE BOX |
| DRAWN BY: | RMJ | 2. | - | - | - | - |
| CREATED: | 06-17-19 | 3. | - | - | - | - |
| JOB NO.: | 19031 | 4. | - | - | - | - |
| SHEET NO.: | 03 OF 10 | 5. | - | - | - | - |

SECTION- 32 TOWNSHIP- 51 S

P:\19031.00 Imperial Marine - 166 Tahiti Circle\CAD\PERMIT-COUNTY\19031-BDE.dwg BRADNER 3/15/2021

Attachment: Attachment E - Hearing Package PL20190000674 (16019 : PL20190000674 BDE 166 Tahiti




**SITE ADDRESS:**
166 TAHITI CIRCLE
NAPLES, FL 34113

**NOTES:**

- THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.
- ALL DATUM SHOWN HEREON IS REFERENCED TO MLW
- SURVEY COURTESY OF: **"COURT GREGORY"**
  - SURVEY DATED: **10-07-19**
- APPLICANT OWNED SHORELINE (APPX LF): **102**
- EXISTING OVERWATER STRUCTURE (APPX SF): **535**
- WIDTH OF WATERWAY, MHW TO MHW (APPX): **900'**
- TIDAL DATUM:
  - MHW (NAVD)= **+0.42'**
  - MLW (NAVD)= **-1.63'**
- PROPOSED OVERWATER STRUCTURE (APPX SF): **512**
- TOTAL OVERWATER STRUCTURE (APPX SF): **512**
- TOTAL PROTRUSION FROM PROPERTY LINE: **24.4'**

Turrell, Hall & Associates, Inc.
Marine & Environmental Consulting
3584 Exchange Ave. Naples, FL 34104-3732
Email: tuna@turrell-associates.com Phone: (239) 643-0166 Fax: (239) 643-6632

# 166 TAHITI CIRCLE

## PROPOSED AERIAL WITH DEPTHS

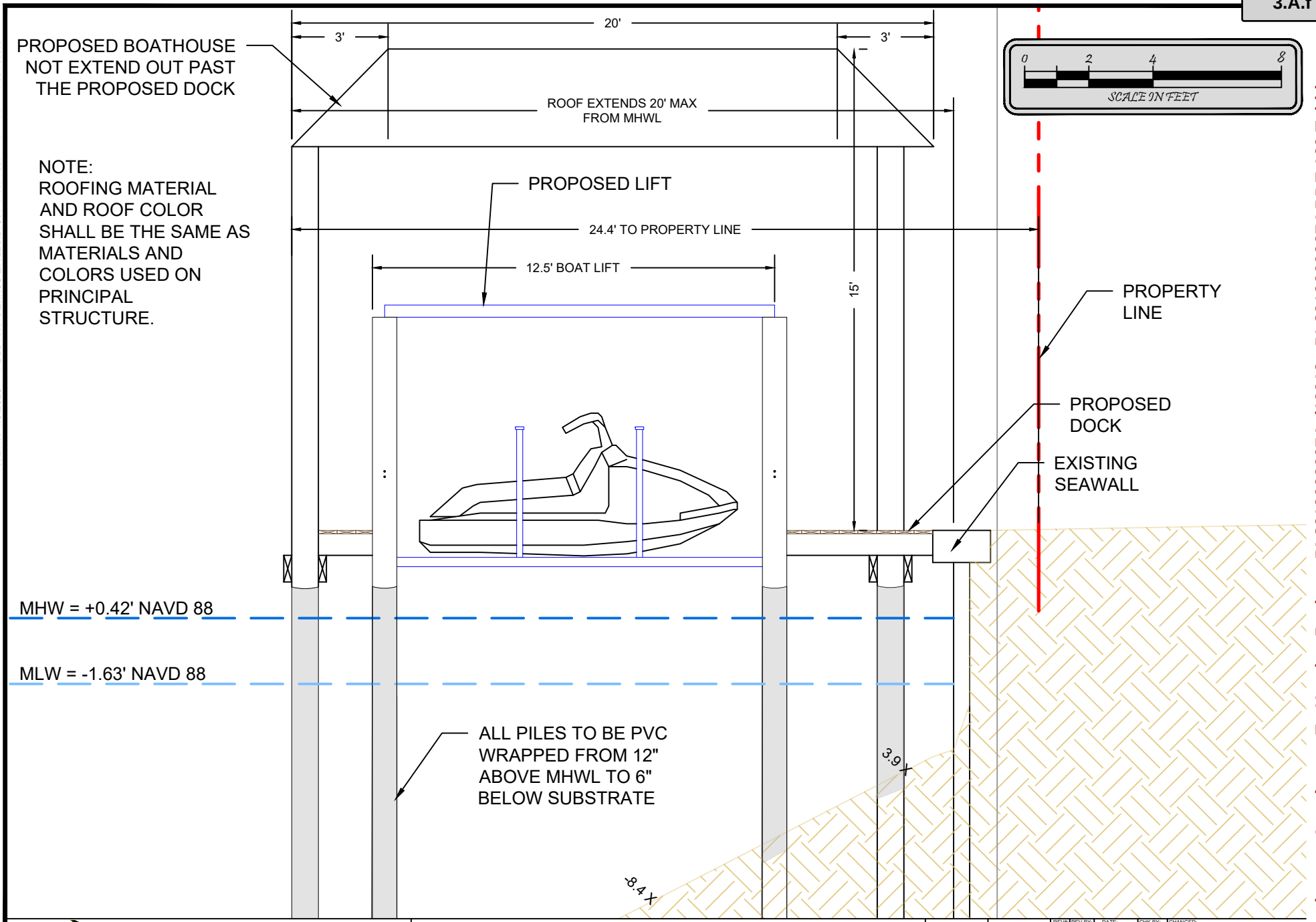
THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.

| | | REV# | REV BY: | DATE: | CHK BY: | CHANGED: |
|---|---|---|---|---|---|---|
| DESIGNED: | JR | 1. | RMJ | 10-29-19 | JR | NEW PAGE |
| DRAWN BY: | RMJ | 2. | - | - | - | - |
| CREATED: | 10-22-19 | 3. | - | - | - | - |
| JOB NO.: | 19031 | 4. | - | - | - | - |
| SHEET NO.: | 04 OF 10 | 5. | - | - | - | - |

SECTION- 32 TOWNSHIP- 51 S

p:\19031.00 imperial marine - 166 tahiti circle\CAD\PERMIT-COUNTY\19031-BDE.dwg BRC 3/15/2021 10:28:28am
Attachment: Attachment E - Hearing Package PL20190000674 (16019 : PL20190000674 BDE 166 Tahiti

p:\19031.00 imperial marine - 166 tahiti circle\CAD\PERMIT-COUNTY\19031-BDE.dwg SECTION 3/15/2021




Turrell, Hall & Associates, Inc.
Marine & Environmental Consulting
3584 Exchange Ave. Naples, FL 34104-3732
Email: tuna@turrell-associates.com Phone: (239) 643-0166 Fax: (239) 643-6632

# 166 TAHITI CIRCLE

## CROSS SECTION AA

THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.

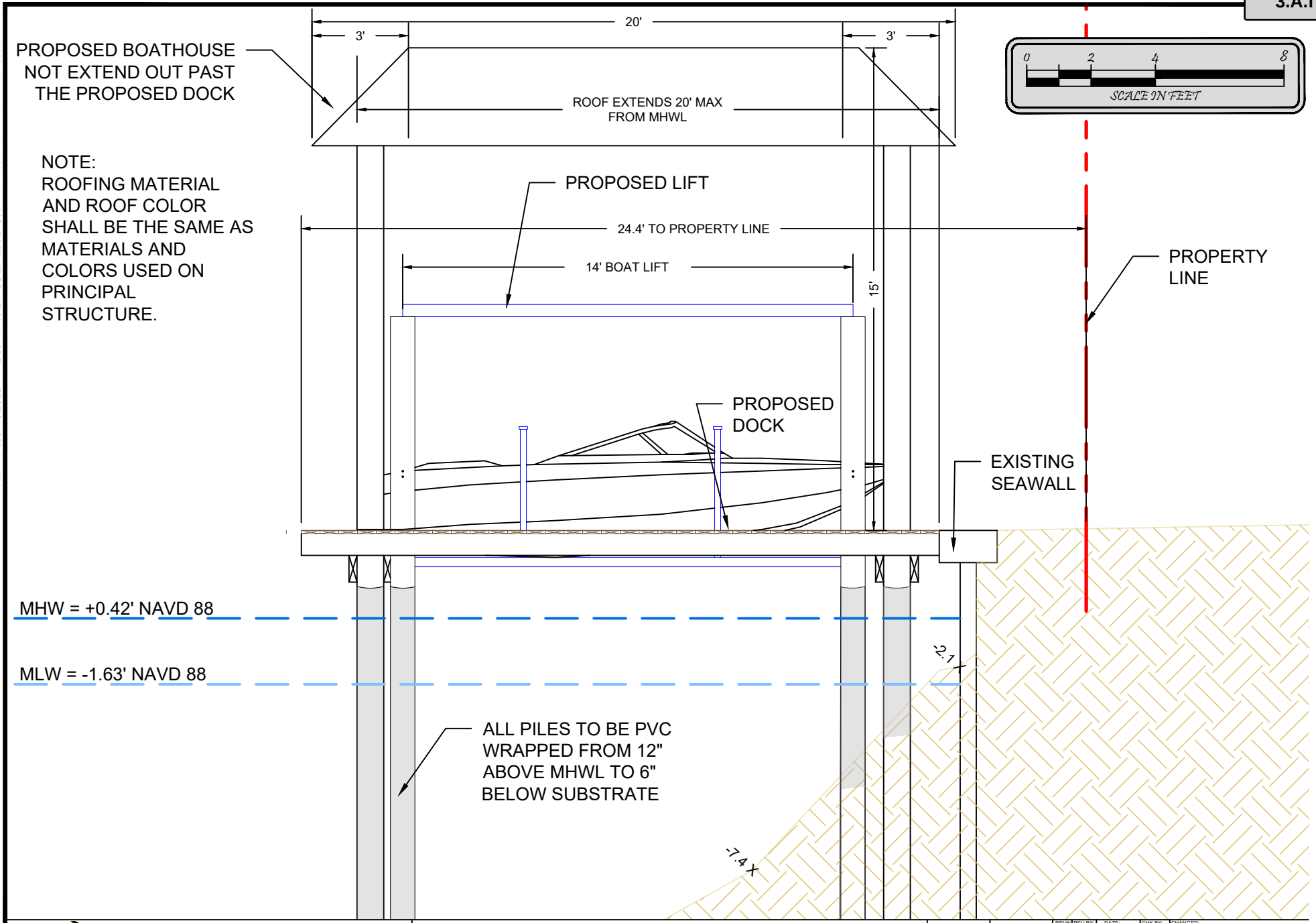
| | |
|---|---|
| DESIGNED: | JR |
| DRAWN BY: | RMJ |
| CREATED: | 06-17-19 |
| JOB NO.: | 19031 |
| SHEET NO.: | 05 OF 10 |

| REV# | REV BY: | DATE: | CHK BY: | CHANGED: |
|---|---|---|---|---|
| 1. | RMJ | 10-29-19 | JR | ADDED DEPTHS, REV. NOTE BOX |
| 2. | - | - | - | - |
| 3. | - | - | - | - |
| 4. | - | - | - | - |
| 5. | - | - | - | - |

SECTION-32 TOWNSHIP- 51 S

Attachment: Attachment E - Hearing Package PL20190000674 (16019 : PL20190000674 BDE 166 Tahiti

p:\19031.00 imperial marine - 166 tahiti circle\CAD\PERMIT-COUNTY\19031-BDE.dwg SECTION (BB) 3/15/2021




Turrell, Hall & Associates, Inc.
Marine & Environmental Consulting
3584 Exchange Ave. Naples, FL 34104-3732
Email: tuna@turrell-associates.com Phone: (239) 643-0166 Fax: (239) 643-6632

# 166 TAHITI CIRCLE

## CROSS SECTION BB

THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.

| | |
|---|---|
| DESIGNED: | JR |
| DRAWN BY: | RMJ |
| CREATED: | 03-15-19 |
| JOB NO.: | 19031 |
| SHEET NO.: | 06 OF 10 |

| REV# | REV BY: | DATE: | CHK BY: | CHANGED: |
|---|---|---|---|---|
| 1. | - | - | - | - |
| 2. | - | - | - | - |
| 3. | - | - | - | - |
| 4. | - | - | - | - |
| 5. | - | - | - | - |

SECTION- 32 TOWNSHIP- 51 S

Attachment: Attachment E - Hearing Package PL20190000674 (16019 : PL20190000674 BDE 166 Tahiti

p:\19031.00 imperial marine - 166 tahiti circle\CAD\PERMIT-COUNTY\19031-BDE.dwg 3/15/2021 3:05:28 PM EST




NOTE:
THE DIMENSIONS SHOWN ARE APPROXIMATE AND ARE TAKEN FROM THE AERIAL IMAGE.

Turrell, Hall & Associates, Inc.
Marine & Environmental Consulting
3584 Exchange Ave. Naples, FL 34104-3732
Email: tuna@turrell-associates.com Phone: (239) 643-0166 Fax: (239) 643-6632

# 166 TAHITI CIRCLE

## ADJACENT DOCKS

THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.

| | |
|---|---|
| DESIGNED: | JR |
| DRAWN BY: | RMJ |
| CREATED: | 06-17-19 |
| JOB NO.: | 19031 |
| SHEET NO.: | 07 OF 10 |

| REV# | REV BY: | DATE: | CHK BY: | CHANGED: |
|---|---|---|---|---|
| 1. | RMJ | 10-29-19 | JR | REV. NOTE BOX |
| 2. | - | - | - | - |
| 3. | - | - | - | - |
| 4. | - | - | - | - |
| 5. | - | - | - | - |

SECTION- 32 TOWNSHIP- 51 S

Attachment: Attachment E - Hearing Package PL20190000674 (16019 : PL20190000674 BDE 166 Tahiti

p:\19031.00 imperial marine - 166 tahiti circle\CAD\PERMIT-COUNTY\19031-BDE.dwg ST OVERLAY 3/15/2021




Turrell, Hall & Associates, Inc.
Marine & Environmental Consulting
3584 Exchange Ave. Naples, FL 34104-3732
Email: tuna@turrell-associates.com Phone: (239) 643-0166 Fax: (239) 643-6632

# 166 TAHITI CIRCLE

## ST OVERLAY MAP

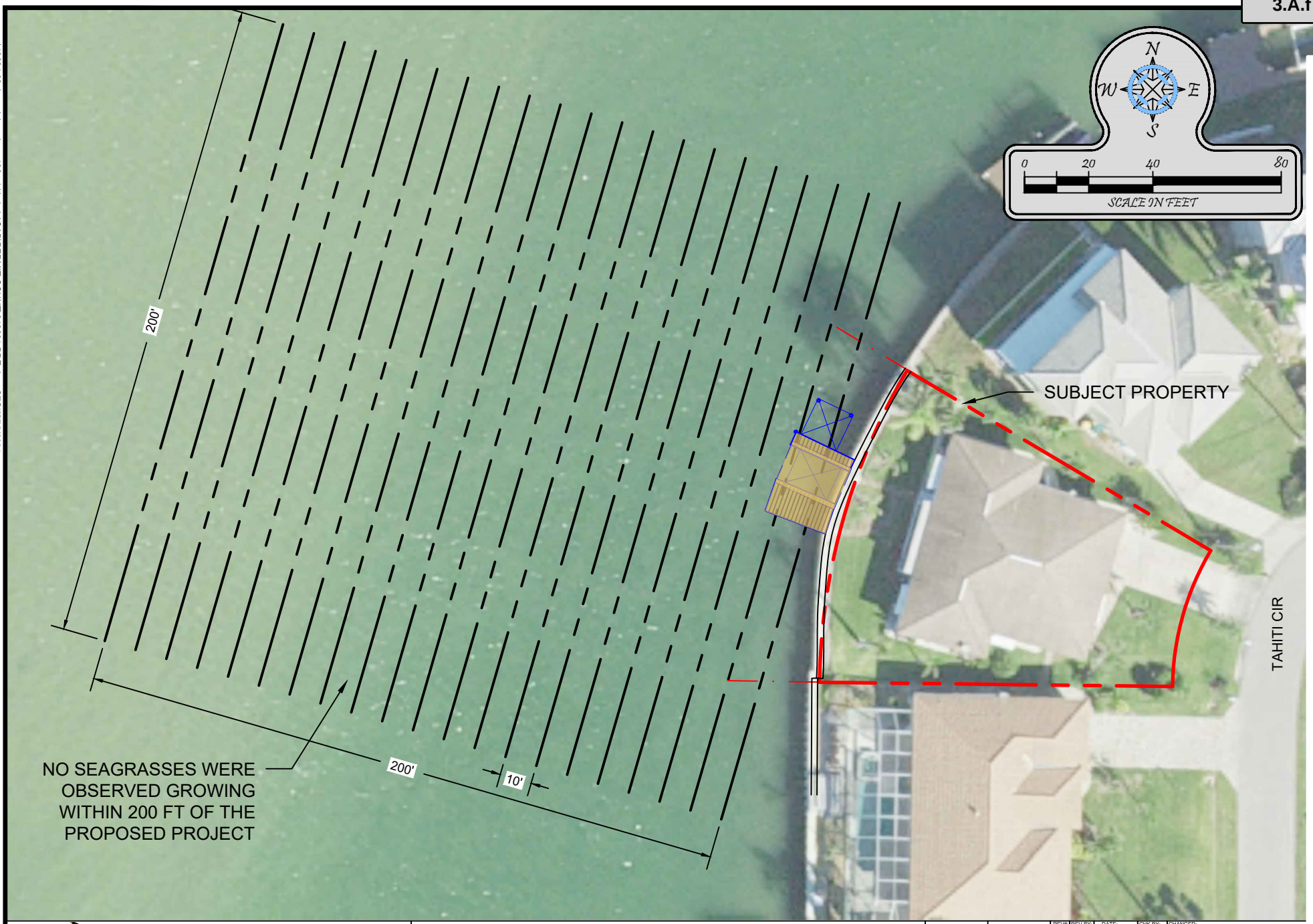
THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.

| | | REV# | REV BY: | DATE: | CHK BY: | CHANGED: |
|---|---|---|---|---|---|---|
| DESIGNED: | JR | 1. | RMJ | 10-29-19 | JR | REV. NOTE BOX |
| DRAWN BY: | RMJ | 2. | - | - | - | - |
| CREATED: | 06-17-19 | 3. | - | - | - | - |
| JOB NO.: | 19031 | 4. | - | - | - | - |
| SHEET NO.: | 08 OF 10 | 5. | - | - | - | - |

SECTION- 32 TOWNSHIP- 51 S

Attachment: Attachment E - Hearing Package PL20190000674 (16019 : PL20190000674 BDE 166 Tahiti

p:\19031.00 imperial marine - 166 tahiti circle\CAD\PERMIT-COUNTY\19031-BDE.dwg 5/5/2021




Turrell, Hall & Associates, Inc.
Marine & Environmental Consulting
3584 Exchange Ave. Naples, FL 34104-3732
Email: tuna@turrell-associates.com Phone: (239) 643-0166 Fax: (239) 643-6632

# 166 TAHITI CIRCLE

## SUBMERGED RESOURCE SURVEY

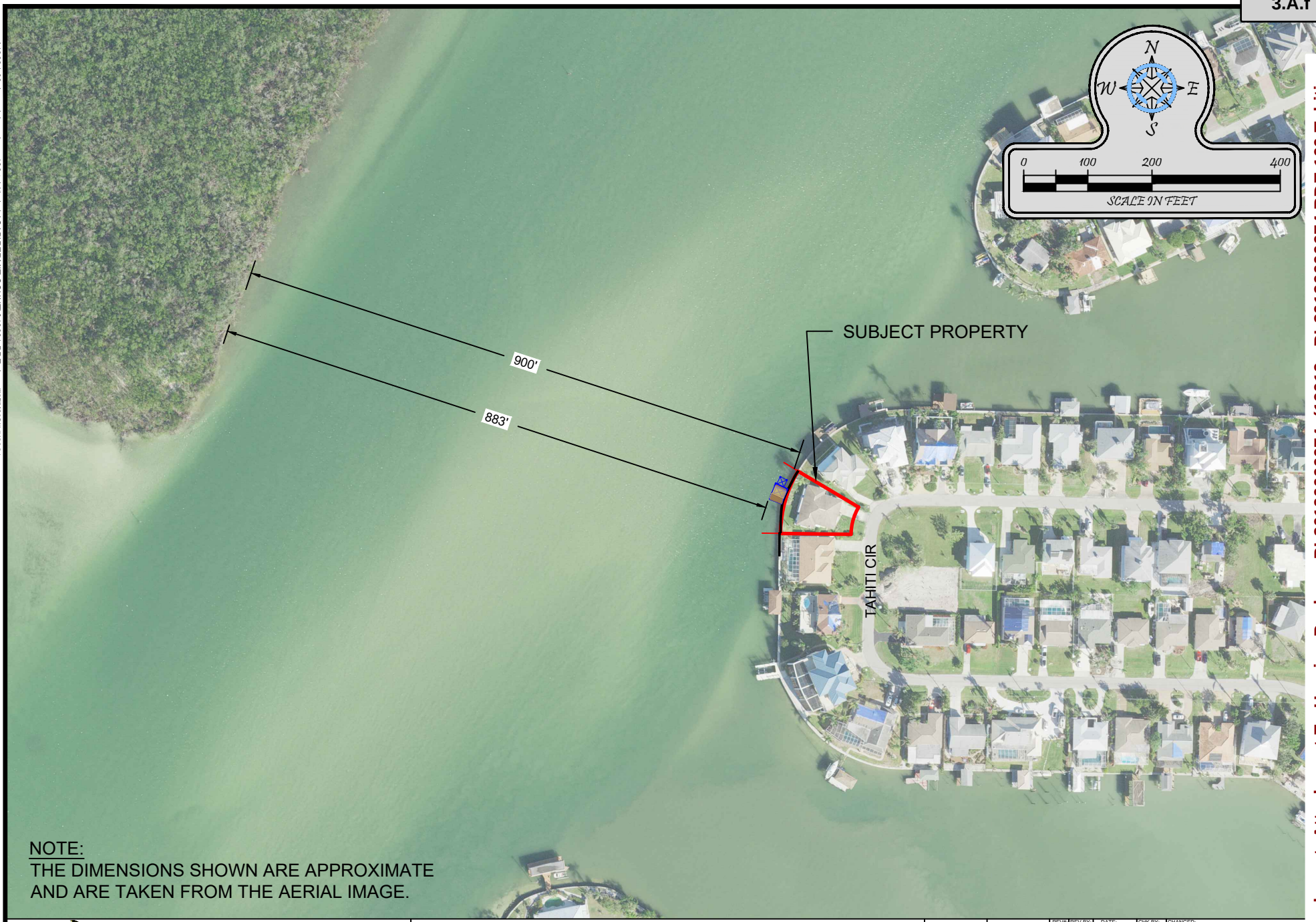
THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.

| | | REV# | REV BY: | DATE: | CHK BY: | CHANGED: |
|---|---|---|---|---|---|---|
| DESIGNED: | JR | 1. | RMJ | 10-29-19 | JR | REV. NOTE BOX |
| DRAWN BY: | RMJ | 2. | - | - | - | - |
| CREATED: | 06-17-19 | 3. | - | - | - | - |
| JOB NO.: | 19031 | 4. | - | - | - | - |
| SHEET NO.: | 09 OF 10 | 5. | - | - | - | - |

SECTION- 32 TOWNSHIP- 51 S

Attachment: Attachment E - Hearing Package PL20190000674 (16019 : PL20190000674 BDE 166 Tahiti

p:\19031.00 imperial marine - 166 tahiti circle\CAD\PERMIT-COUNTY\19031-BDE.dwg 11/5/2021




NOTE:
THE DIMENSIONS SHOWN ARE APPROXIMATE AND ARE TAKEN FROM THE AERIAL IMAGE.

Turrell, Hall & Associates, Inc.
Marine & Environmental Consulting
3584 Exchange Ave. Naples, FL 34104-3732
Email: tuna@turrell-associates.com Phone: (239) 643-0166 Fax: (239) 643-6632

# 166 TAHITI CIRCLE

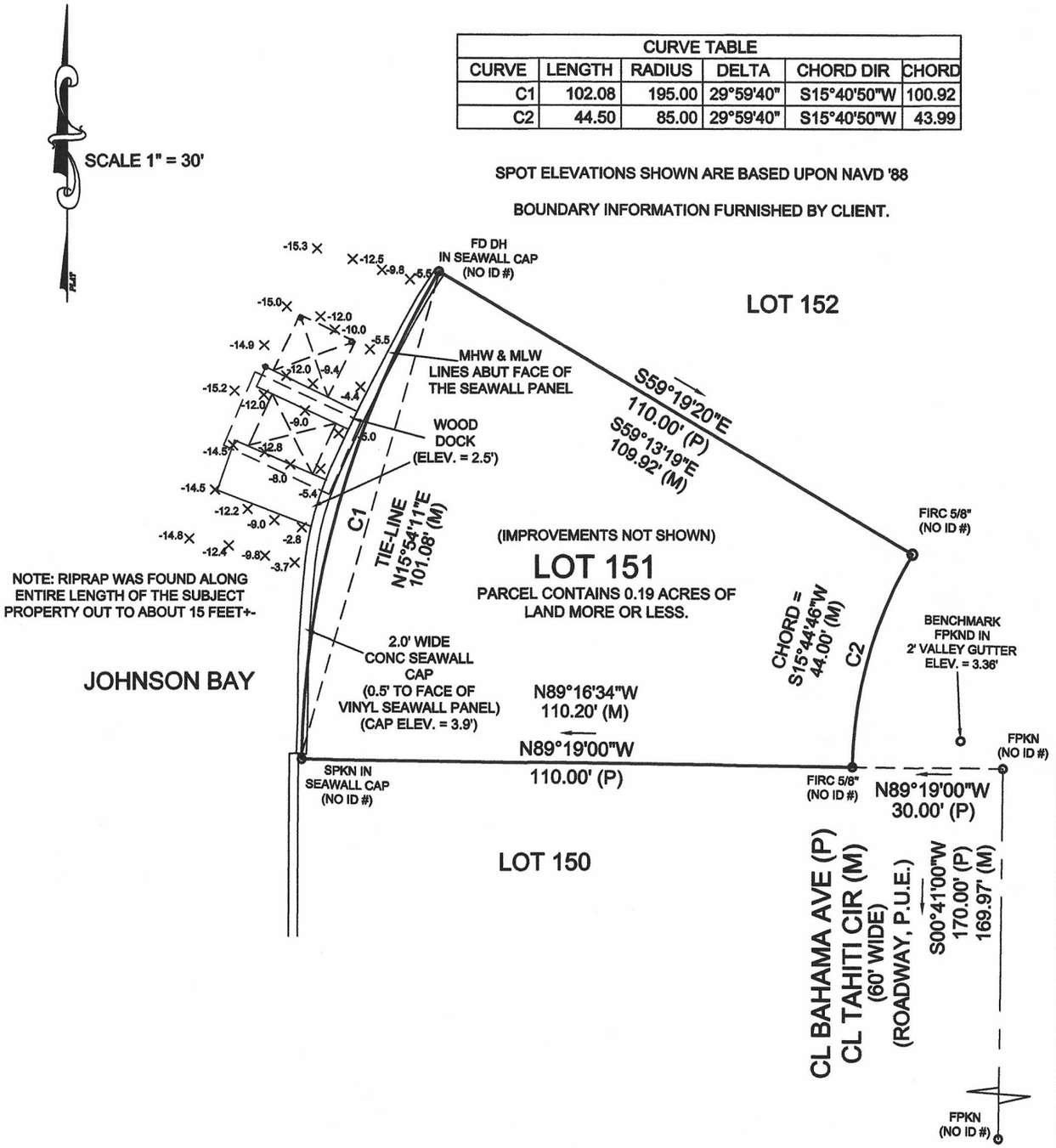
## WIDTH OF WATERWAY

THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.

| | | REV# | REV BY: | DATE: | CHK BY: | CHANGED: |
|---|---|---|---|---|---|---|
| DESIGNED: | JR | 1. | RMJ | 10-29-19 | JR | NEW PAGE |
| DRAWN BY: | RMJ | 2. | - | - | - | - |
| CREATED: | 10-29-19 | 3. | - | - | - | - |
| JOB NO.: | 19031 | 4. | - | - | - | - |
| SHEET NO.: | 10 OF 10 | 5. | - | - | - | - |

SECTION- 32 TOWNSHIP- 51 S

Attachment: Attachment E - Hearing Package PL20190000674 (16019 : PL20190000674 BDE 166 Tahiti




| CURVE TABLE | | | | | |
|---|---|---|---|---|---|
| CURVE | LENGTH | RADIUS | DELTA | CHORD DIR | CHORD |
| C1 | 102.08 | 195.00 | 29°59'40" | S15°40'50"W | 100.92 |
| C2 | 44.50 | 85.00 | 29°59'40" | S15°40'50"W | 43.99 |

NOTES:

1.THE BEARINGS SHOWN HEREON ARE BASED ON THE CENTERLINE OF TAHITI ST (P) AS SHOWN IN PLAT BOOK 3 PAGE 46 OF COLLIER COUNTY, BEING NORTH 00° 41' 00" EAST.

2.IMPROVEMENTS OTHER THAN THOSE SHOWN ARE NOT A PART OF THIS SURVEY.

3.SAID DESCRIBED LAND IS SUBJECT TO ALL SUBDIVISION REGULATIONS, RESERVATIONS, RESTRICTIONS, ZONING AND RIGHTS-OF- WAY OF RECORD.

4.DATE OF FIELD SURVEY MAY 31, 2018.

5.THIS SURVEY MAP IS NOT VALID WITHOUT THE SIGNATURE AND RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

6.SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED AS A PART OF THIS SURVEY. NO STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONTAINERS, UTILITIES OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS PROPERTY.

7.ELEVATIONS SHOWN ARE BASED ON N.A.V.D. DATUM OF 1988. DESCRIPTION OF BENCHMARK IS AS FOLLOWS: FPKND IN GUTTER BETWEEN RES#'S 164/166 TAHITI CIR ELEV. = 3.36'

8.SUBJECT PROPERTY IS SITUATED IN FLOOD ZONE " " AS INDICATED ON FEMA FLOOD ZONE MAP PANEL NO N/A
DATED: BASE ELEVATION DETERMINED AT N/A

9.NO TITLE OPINION OR ABSTRACT TO THE SUBJECT PROPERTY HAS BEEN PROVIDED. ALL INFORMATION HAS BEEN SUPPLIED BY THE CLIENT. IT IS POSSIBLE THAT THERE ARE DEEDS, EASEMENTS, OR OTHER INSTRUMENTS (RECORDED OR UNRECORDED) WHICH MAY AFFECT THE SUBJECT PROPERTY. NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THE SURVEYOR.

10. THE PURPOSE OF THIS SURVEY IS TO SHOW THE PROPOSED DOCK LOCATION WITH RESPECT TO THE PLATTED SUBJECT PROPOSERTY PROPERTY LINES ARE SHOWN AS PLAT.

LEGEND

- = FOUND (") IRON ROD ( SURVEYOR ID #) (FIR)
- = SET 1/2" IRON ROD (PSM #6004)(SIRC)
- = SET 4" X 4" CONCRETE MONUMENT (PSM #6004)(SCM)
- = FOUND CONCRETE MONUMENT (SURVEYOR ID #)(FCM)
- = BENCHMARK (FOUND OR SET) R/W = RIGHT OF WAY(R.O.W.)
- = FOUND NAIL OR PK NAIL AND DISC ( SURVEYOR ID #) (FIR)
- = SET PK NAIL AND DISC (PSM #6004) (SPKN&D) FD. = FOUND

FN&TT = FOUND NAIL AND TIN TAB BM = BENCHMARK
P.C.P. = PERMANENT CONTROL POINT (#)
P.R.M. = PERMANENT REFERENCE MONUMENT (#)
CBS=CONCRETE BLOCK & STUCCO FF = FINISHED FLOOR
(PG) = PAGE CATV=CABLE TV CMP = CORRUGATED METAL PIPE
(M) = FIELD MEASUREMENT U.T.S.= UNITED TELEPHONE RISER
(P) OR (D) = PLAT OR RECORDED(DEED) MEASUREMENT
(C) = CALCULATED MEASUREMENT CONC = CONCRETE
(PB) = PLAT BOOK LME = LAKE MAINTENANCE EASEMENT
R.C.P. = REINFORCED CONCRETE PIPE PROP = PROPERTY
C.L.= CENTERLINE T.O.B. = TOP OF BANK UE = UTILITY EASEMENT
DE = DRAINAGE EASEMENT CUE = COUNTY (U.E.)
LBE = LANDSCAPE BUFFER EASEMENT ELEC = ELECTRIC
PUE = PUBLIC UTILITY EASEMENT SWE = SIDEWALK EASEMENT

# MAP OF ASBUILT SURVEY

(DOCK IMPROVEMENT ONLY)

## LOT 151

OF

## ISLES OF CAPRI NO. 2

AS RECORDED IN
PLAT BOOK 3 PAGE(S) 46
OF THE PUBLIC RECORDS OF
COLLIER COUNTY, FLORIDA

166 TAHITI CIRCLE

THIS SURVEY IS PREPARED FOR:
TURRELL, HALL & ASSOCIATES

CERTIFICATION:
I CERTIFY THAT THIS SURVEY WAS MADE UNDER MY DIRECTION AND THAT IT MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE BOARD OF PROFESSIONA LAND SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTIC 472.027, FLORIDA STATUTES.
NOT A CERTIFICATION OF TITLE, ZONING, EASEMENTS O FREEDOM OF ENCUMBRANCES.

SIGNED_____
COURT H. GREGORY PSM #6004
DATE 10/07/2019
DATE OF FIELD SURVEY 05-31-2018

ADDED WATER DEPTH ELEVATIONS
DATE OF REVISION 10-03-2019

PSM # 6004
LB # 7112

C.G.S.
Court Gregory Surveying, In
761 Teton Court
Naples, Florida 34104
(239)643-7845 office
cgs6004@comcast.net
(239)272-3707 cell

Date 10/07/2019
Job # EN40152M2
Fb MI-37 Pg 78

Attachment: Attachment E - Hearing Package PL20190000674 (16019 : PL20190000674 BDE 166 Tahiti

# Florida Department of Environmental Protection

South District
Post Office Box 2549
Fort Myers, Florida 33902-2549
*SouthDistrict@dep.state.fl.us*

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Jonathan P. Steverson
Interim Secretary


**VIA ELECTRONIC MAIL**

July 17, 2015

Robert Moses
c/o Nelson Marine
10923 Enterprise Ave
Bonita Springs FL 34135
**lisa@nelsonmarine.com**
**rmoses@rgmcapital.com**

Re: Collier County – ERP
File No. 11-0335866-001

Dear Mr. Moses:

On **June 17, 2015,** we received your request for verification of exemption to perform the following activities:

> Replace an existing (since 1975) 540 sf dock and boathouse within the same footprint, with a 500 sf dock and boathouse at 166 Tahiti Circle, Naples 34113 and Parcel Id Number 52390680007 in Johnson Bay, Class II, Outstanding Florida Waters and Rookery Bay Aquatic Preserve, Section 32, Township 51 South, Range 26 East, Collier County.

Your request has been reviewed to determine whether it qualifies for (1) regulatory exemption, (2) proprietary authorization (related to state-owned submerged lands), and (3) federal approval that may be necessary for work in wetlands or waters of the United States.

**Your project either qualifies or was not applicable for all three authorization types.** However, this letter does not relieve you from the responsibility of obtaining other federal, state, or local authorization that may be required for the activityThis letter does not relieve you from the responsibility of obtaining other federal, state, or local authorizations that may be required for the activity. Please refer to the specific section(s) dealing with that portion of the review below for advice on how to proceed.

**1. Regulatory Review –VERIFIED**

Based on the information submitted, the Department has verified that the activity as proposed is exempt under Section 403.813(1)(d), Florida Statute and Chapter 62-330.051(5)(d), Florida Administrative Code, from the need to obtain a regulatory permit under part IV of Chapter 373 of the Florida Statutes.



Attachment: Attachment E - Hearing Package PL20190000674 (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses / Taylor)

This exemption verification is based on the information you provided the Department and the statutes and rules in effect when the information was submitted. This verification may not be valid if site conditions materially change, the project design is modified or the statutes or rules governing the exempt activity are amended. In the event you need to re-verify the exempt status for the activity, a new request and verification fee will be required. Any substantial modifications to the project design should be submitted to the Department for review as changes may result in a permit being required. Conditions of compliance with the regulatory exemption are contained in Attachment A.

2. **Authorization to use state-owned (sovereign) submerged lands – GRANTED**

The Department acts as staff to the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees) and issues certain authorizations for the use of sovereign submerged lands. The Department has the authority to review activities on sovereign submerged lands under Chapters 253 and 258 of the Florida Statutes, and Chapters 18-20 and 18-21 of the Florida Administrative Code.

The activity appears to be located on sovereign submerged lands owned by the Board of Trustees. The activity is not exempt from the need to obtain the applicable proprietary authorization. As staff to the Board of Trustees, the Department has reviewed the activity described above, and has determined that the activity qualifies for an automatic consent by rule under Rule 18-21.005(1)(b) and Section 253.77 of the Florida Statutes to construct and use the activity on the specified sovereign submerged lands, as long as the work performed is located within the boundaries as described herein and is consistent with the terms and conditions herein. No further application is required for this consent by rule.

**General Conditions for State-Owned Submerged Land Authorizations:**

(a) Authorizations are valid only for the specified activity or use. Any unauthorized deviation from the specified activity or use and the conditions for undertaking that activity or use shall constitute a violation. Violation of the authorization shall result in suspension or revocation of the grantee's use of the sovereignty submerged land unless cured to the satisfaction of the Board.

(b) Authorizations convey no title to sovereignty submerged land or water column, nor do they constitute recognition or acknowledgment of any other person's title to such land or water.

(c) Authorizations may be modified, suspended or revoked in accordance with their terms or the remedies provided in Sections 253.04 and 258.46, F.S., or Chapter 18-14, F.A.C.

(d) Structures or activities shall be constructed and used to avoid or minimize adverse impacts to sovereignty submerged lands and resources.

(e) Construction, use, or operation of the structure or activity shall not adversely affect any species which is endangered, threatened or of special concern, as listed in Rules 68A-27.003, 68A-27.004, and 68A-27.005, F.A.C.

(f) Structures or activities shall not unreasonably interfere with riparian rights. When a court of competent jurisdiction determines that riparian rights have been unlawfully affected, the structure or activity shall be modified in accordance with the court's decision.

Attachment: Attachment E - Hearing Package PL20190000674 (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses / Taylor)

(g) Structures or activities shall not create a navigational hazard.

(h) Structures shall be maintained in a functional condition and shall be repaired or removed if they become dilapidated to such an extent that they are no longer functional. This shall not be construed to prohibit the repair or replacement subject to the provisions of Rule 18-21.005, F.A.C., within one year, of a structure damaged in a discrete event such as a storm, flood, accident, or fire.

(i) Structures or activities shall be constructed, operated, and maintained solely for water dependent purposes, or for non-water dependent activities authorized under paragraph 18-21.004(1)(f), F.A.C., or any other applicable law.

Please be advised that any use of sovereign submerged lands without specific prior authorization from the Board of Trustees will be considered a violation of Chapter 253, Florida Statutes and may subject the affected upland riparian property owners to legal action as well as potential fines for the prior unauthorized use of sovereign land.

Authority for review - Chapter 253 and Chapter 258, F. S., and Chapter 18-21, F.A.C. and Chapter 18-20, F.A.C., and Section 62-330.075, F.A.C. as required.

**3. SPGP Review – APPROVED**

Your proposed activity as outlined on your application and attached drawings qualifies for Federal authorization pursuant to the State Programmatic General Permit IV-R1, and a **SEPARATE permit** or authorization **will not be required** from the Corps. Please note that the Federal authorization expires on July 25, 2016. You, as permittee, are required to adhere to all General Conditions and Special conditions that may apply to your project." A copy of the SPGP IV-R1 with all terms and conditions and the General Conditions may be found at http://www.saj.usace.army.mil/Divisions/Regulatory/sourcebook.htm

Authority for review - an agreement with the USACOE entitled “Coordination Agreement Between the U. S. Army Corps of Engineers (Jacksonville District) and the Florida Department of Environmental Protection, or Duly Authorized Designee, State Programmatic General Permit”, Section 10 of the Rivers and Harbor Act of 1899, and Section 404 of the Clean Water Act.

**Additional Information**
Please retain this letter. The activities may be inspected by authorized state personnel in the future to ensure compliance with appropriate statutes and administrative codes. If the activities are not in compliance, you may be subject to penalties under Chapter 373, F.S., and Chapter 18-14, F.A.C.

**NOTICE OF RIGHTS**

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. Because the administrative hearing process is

Attachment: Attachment E - Hearing Package PL20190000674 (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses / Taylor)

designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice.

Petition for Administrative Hearing

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rule 28-106.201, F.A.C., a petition for an administrative hearing must contain the following information:

(a) The name and address of each agency affected and each agency's file or identification number, if known;
(b) The name, address, any email address, any facsimile number, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;
(c) A statement of when and how the petitioner received notice of the agency decision;
(d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
(e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
(f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
(g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

Time Period for Filing a Petition

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant must be filed within 21 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S. must be filed within 21 days of publication of the notice or within 21 days of receipt of the written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 21 days of receipt of such notice, regardless of the date of publication. The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

Attachment: Attachment E - Hearing Package PL20190000674 (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses / Taylor)

Extension of Time
Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline for filing a petition for an administrative hearing. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

Mediation
Mediation is not available in this proceeding.

FLAWAC Review
The applicant, or any party within the meaning of Section 373.114(1)(a) or 373.4275, F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission under Section 373.114(1) or 373.4275, F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when the order is filed with the Clerk of the Department.

Judicial Review
Any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, M.S. 35, Tallahassee, Florida 32399-3000; and by filing a copy of

[THIS SECTION INTENTIONALLY LEFT BLANK]

Attachment: Attachment E - Hearing Package PL20190000674 (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses / Taylor)

the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date this action is filed with the Clerk of the Department.

Thank you for applying to the Submerged Lands and Environmental Resource Program. If you have any questions, please contact Jonathan Guinn by telephone at (239) 344-5650 or by e-mail at jonathan.guinn@dep.state.fl.us. When referring to this project, please reference the file number listed above.

Executed in Lee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

Sincerely,

John Kent Edwards
Environmental Manager
Submerged Lands and Environmental
Resources Program
South District

**Attachments:**
3 project drawing(s)
General Conditions for Department of the Army General Permits (SPGP IV-R1)
Attachment A

**Copies furnished to:**
Florida Coastal Office, Rookery Bay Aquatic Preserve

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this document and authorization to use sovereignty submerged lands, including all copies, was mailed before the close of business on July 17, 2015, to the above listed person(s).

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to Section 120.52(7), F.S., with the designated Department clerk, receipt of which is hereby acknowledged.

Marie Vidrine
Clerk

July 17, 2015
Date

Attachment: Attachment E - Hearing Package PL20190000674 (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses / Taylor)

SPECIAL CONDITIONS FOR USE OF THE SPGP IV-Rl

1. The District Engineer reserves the right to require that any request for authorization under this general permit be evaluated as an Individual Permit. Conformance with the terms and conditions of the SPGP IV-Rl does not automatically guarantee authorization.

2. No activity is authorized under the SPGP IV-Rl which may impact a federally listed threatened or endangered species or a species proposed for such designation, or its designated critical habitat.

3. On a case-by-case basis the Corps may impose additional special conditions which are deemed necessary to minimize adverse environmental impacts.

4. Failure to comply with all conditions of the Federal authorizations under the SPGP IV- Rl would constitute a violation of the Federal authorization.

5. The SPGP IV-Rl is not applicable in the geographical boundaries of: Monroe County; the Timucuan Ecological and Historical Preserve (Duval County); the St. Mary's River, from its headwaters to its confluence with the Bells River; the Wekiva River from its confluence with the St. Johns River to Wekiwa Springs, Rock Springs Run from its headwaters at Rock Springs to the confluence with the Wekiwa Springs Run, Black Water Creek from the outflow from Lake Norris to the confluence with the Wekiva River; canals at Garfield Point including Queens Cove (St. Lucie County); the Loxahatchee River from Riverbend Park downstream to Jonathan Dickinson State Park; the St. Lucie Impoundment (Martin County); all areas regulated under the Lake Okeechobee and Okeechobee Waterway Shoreline Management Plan, located between St. Lucie Lock (Martin County) and W.P. Franklin Lock (Lee County); American Crocodile designated critical habitat (Miami-Dade and Monroe Counties); Johnson's seagrass designated critical habitat (southeast Florida); piping plover designated critical habitat (throughout Florida); acroporid coral designated critical habitat (southeast Florida); Anastasia Island, Southeastern, Perdido Key, Choctawhatchee, or St. Andrews beach mice habitat (Florida east coast and panhandle coasts); the Biscayne Bay National Park Protection Zone (Miami-Dade County); Harbor Isles (Pinellas County); the Faka Union Canal (Collier County); the Florida panther consultation area (Southwest Florida), the Tampa Bypass Canal (Hillsborough County); canals in the Kings Bay/Crystal River/Homosassa/Salt River system (Citrus County); Lake Miccosukee (Jefferson County).

6. No structure or work shall adversely affect or disturb properties listed in the National Register of Historic Places or those eligible for inclusion in the National Register. Prior to the start of work, the Applicant/Permittee or other party on the Applicant's/Permittee's behalf shall conduct a search of known historical properties by contracting a professional archaeologist, contacting the Florida Master Site File at 850-245-6440 or SiteFile@dos.state.fl.us . The Applicant/Permittee can also research sites in the National Register Information System (NRIS). Information can be found at http://www.cr.nps.gov/nr/research/.

   If, during the initial ground disturbing activities and construction work, there are archaeological/cultural materials unearthed (which shall include, but not be limited to: pottery, modified shell, flora, fauna, human remains, ceramics, stone tools or metal

Attachment: Attachment E - Hearing Package PL20190000674 (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses / Taylor)

implements, dugout canoes or any other physical remains that could be associated with Native American cultures or early colonial or American settlement), the permittee shall immediately stop all work in the vicinity and notify the Compliance and Review staff of the State Historic Preservation Office at 850-245-6333 and the Corps Regulatory Project Manager to assess the significance of the discovery and devise appropriate actions, including salvage operations. Based, on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7.

In the unlikely event that human remains are identified, they will be treated in accordance with Section 872.05, Florida Statutes; all work in the vicinity shall immediately cease and the local law authority, the State Archaeologist (850-245-6444), and the Corps Regulatory Project Manager shall immediately be notified. Such activity shall not resume unless specifically authorized by the State Archaeologist and the Corps.

7. No work shall be authorized under the SPGP IV-Rl which proposes the use of prefabricated modules for habitat creation, restoration, or enhancement.

8. No activity shall be authorized under the SPGP IV-Rl which by its size or location may adversely impact water quality, fish and wildlife habitat, wetlands, or emergent or submerged aquatic vegetation. Where aquatic vegetation is present adverse impacts to aquatic vegetation from construction of piling-supported structures may be avoided/minimized by adherence to, or employing alternative construction techniques that provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat U.S. Army Corps of Engineers/National Marine Fisheries Service August 2001." (See http://www.saj.usace.army.mil/Divisions/Regulatorv/sourcebook.htm) Unless otherwise specifically approved by the National Marine Fisheries Service, where aquatic vegetation is present, piling-supported structures authorized under the SPGP IV-R1 must comply with, or provide a higher level of protection than, the criteria contained in the referenced construction guidelines. Additionally, because of concerns about adverse impacts to the endangered Johnson's seagrass *(Halophila johnsonii),* piling-supported structures in the lagoon (as well as canal) systems on Florida's east coast from Sebastian Inlet (Brevard County) south to and including central Biscayne Bay (Miami-Dade County) must also comply with, or provide a higher level of protection than, the criteria contained in the construction guidelines titled "Key for Construction Conditions for Docks or Other Minor Structures Constructed in or Over Johnson's seagrass *(Halophila johnsonii)* National Marine Fisheries Service/U.S. Army Corps of Engineers - February 2002." (See http://vvww.saj.usace.army.mil/Divisions/Regulatorv/sourcebook.htm) *Note: Both of the Construction Guidelines may be subject to revision at any time. It is our intention that the most recent version of this technical tool will be utilized during the evaluation of each Department of the Army permit application.*

9. Prior to issuance of authorization, the dichotomous key titled "The Corps of Engineers, Jacksonville District, and the State of Florida Effect Determination Key for the Manatee in Florida," dated March 2011, will be used to determine potential manatee

Attachment: Attachment E - Hearing Package PL20190000674 (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses / Taylor)

impacts. All projects determined to be "may affect" and certain multi-slip facilities determined to be "may affect, not likely to adversely affect" will be sent to the Corps for consultation with the U.S. Fish and Wildlife Service in accordance with the Endangered Species Act. *Note: The manatee key may be subject to revision at any time. It is our intention that the most recent version of this technical tool will be utilized during the evaluation of each Department of the Army permit application. The current version can be found on the Jacksonville District Regulatory Home Page at:* http://www.saj.usace.army.mil/Divisions/Regulatory/sourcebook.htm

10. For projects in waters accessible to sea turtles, Small tooth sawfish, Gulf sturgeon, or Shortnose sturgeon, the permittee will utilize the "Sea Turtle and Small tooth Sawfish Construction Conditions" (see http://www.saj.usace.army.mil/Divisions/Regulatorv/sourcebook.htm) and any added requirements, as appropriate for the proposed activity. *Note: These conditions may be subject to revision at any time. It is our intention that the most recent version of these conditions will be utilized during the evaluation of the permit application.*

11. With respect to bald eagles, the permittee should refer to the U.S. Fish and Wildlife Service's "National Bald Eagle Management Guidelines," dated May 2007 (see http://www.fws.gov/northflorida/BaldEagles/bald-eagles.htm) for guidance and clearance. *Note: The preceding should be considered an interim condition, after which, new rules may be promulgated. It is the Corps' intention that the most recently approved version of these conditions or ensuing rules will be utilized during the evaluation of permit applications under this general permit.*

12. For projects authorized under this SPGP IV-Rl in navigable waters of the U.S., the permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

13. The SPGP IV-R1 will be valid for five years from the date of issuance unless suspended or revoked by issuance of a public notice by the District Engineer. The Corps, in conjunction with the Federal resource agencies, will conduct periodic reviews to ensure that continuation of the pem1it during the five-year authorization period is not contrary to the public interest. If revocation occurs, all future applications for activities covered by the SPGP IV-R1 will be evaluated by the Corps.

14. If the SPGP IV-R1 expires or is revoked prior to completion of the authorized work, authorization of activities which have commenced or are under contract to commence in reliance upon the SPGP IV-Rl will remain in effect provided the activity is completed within 12 months of the date the SPGP IV-R1 expired or was revoked.

Attachment: Attachment E - Hearing Package PL20190000674 (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses / Taylor)

15. The General conditions attached hereto are made a part of this permit and must be attached to all authorizations processed under this permit.

BY AUTHORITY OF THE SECRETARY OF THE ARMY:

for Alfred A. Pantano, Jr.
Colonel, U.S. Army
District Engineer

Attachment: Attachment E - Hearing Package PL20190000674 (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses / Taylor)

ATTACHMENT A

**62-330.051 Exempt Activities.**

The activities meeting the limitations and restrictions below are exempt from permitting. However, if located in, on, or over state-owned submerged lands, they are subject to a separate authorization under Chapters 253 and 258, F.S., and Chapters 18-18, 18-20, and 18-21, F.A.C., as applicable.

**(5) Dock, Pier, Boat Ramp and Other Boating-related Work –**

(d) Replacement or repair of existing docks and piers, including mooring piles, in accordance with Section 403.813(1)(d), F.S., provided the existing structure is still functional or has been rendered non-functional within the last year by a discrete event, such as a storm, flood, accident, or fire.

*Rulemaking Authority 373.026(7), 373.043, 373.4131, 373.4145, 403.805(1) FS. Law Implemented 373.406, 373.4131, 373.4145, 373.415, 403.813(1) FS. History–New 10-1-13.*

Attachment: Attachment E - Hearing Package PL20190000674 (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses / Taylor)

EXEMPT
11-0335866-001

# SURVEY SKETCH OF ASBUILT SURVEY
## SKETCH OF PROPOSED IMPROVEMENTS

NOT FOR FENCE CONSTRUCTION
NOT FOR CONSTRUCTION
NOT FOR DESIGN

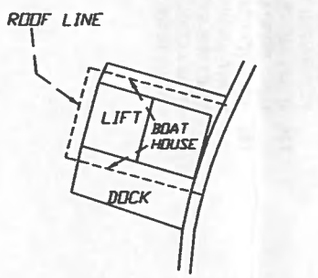
COPYRIGHT 2015 F.L.A. SURVEYS
THE LINES ON THIS SKETCH DO NOT CONSTITUTE OWNERSHIP.



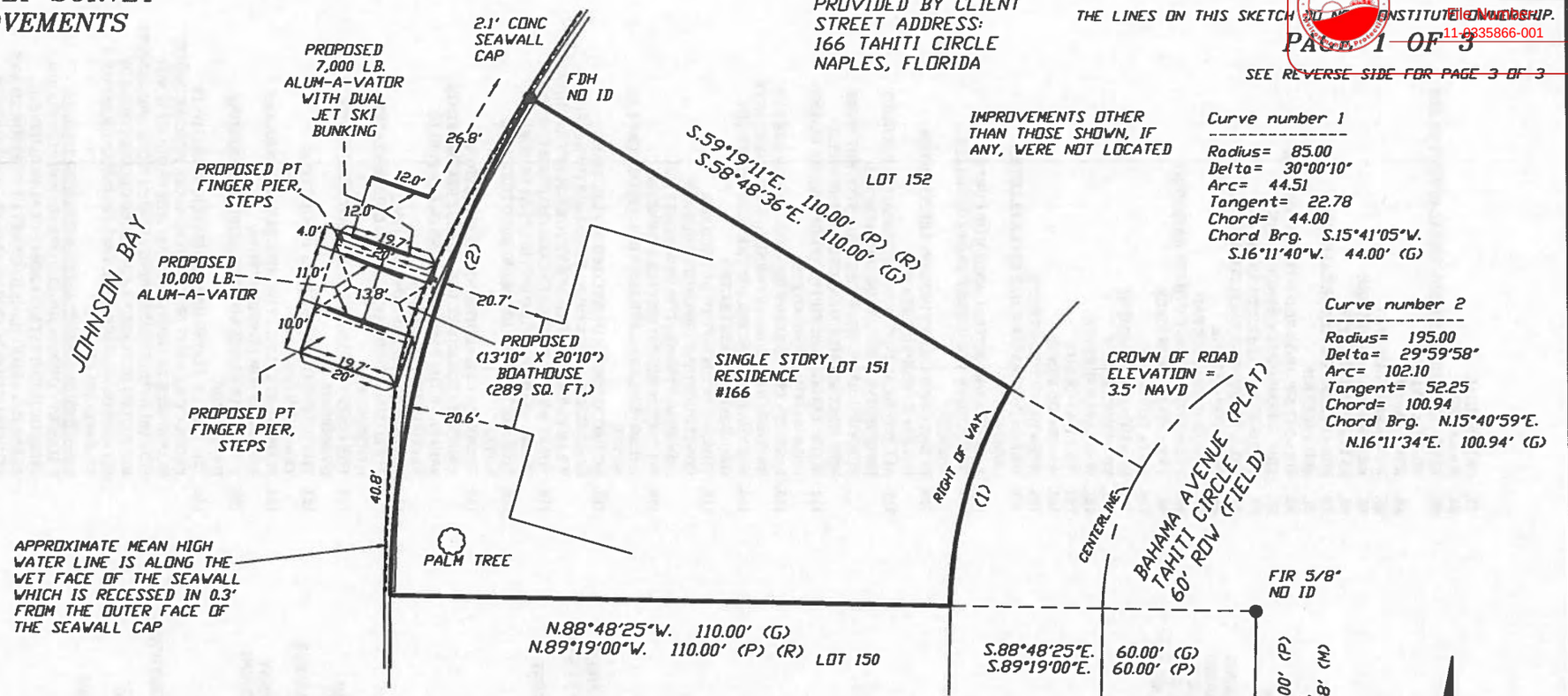
PROVIDED BY CLIENT
STREET ADDRESS:
166 TAHITI CIRCLE
NAPLES, FLORIDA

MEASURED BEARINGS SHOWN ARE BASED ON STATE PLANE COORDINATES (FLORIDA EAST ZONE) AS ACQUIRED BY USING GPS TECHNOLOGY AND IS THE "BASIS OF BEARINGS". MEASUREMENTS LABELED AS (G) ARE THE CALCULATED GPS PLAT BEARINGS.

PEAK OF EXISTING BOAT HOUSE = ELEVATION = 12.7' NAVD
SEAWALL CAP = ELEVATION = 3.7' NAVD




EXISTING LIFT, BOAT HOUSE AND DOCK TO BE REMOVED




Curve number 1
Radius= 85.00
Delta= 30°00'10"
Arc= 44.51
Tangent= 22.78
Chord= 44.00
Chord Brg. S.15°41'05"W.
S.16°11'40"W. 44.00' (G)

Curve number 2
Radius= 195.00
Delta= 29°59'58"
Arc= 102.10
Tangent= 52.25
Chord= 100.94
Chord Brg. N.15°40'59"E.
N.16°11'34"E. 100.94' (G)

CERTIFIED TO :
NELSON MARINE CONSTRUCTION, INC.

LEGAL DESCRIPTION :
LOT 151, ISLES OF CAPRI NO. 2, AS PER PLAT RECORDED IN PLAT BOOK 3, PAGE 46, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA

NOTE:
IN COMPLIANCE WITH F.A.C. 5J-17.052 (2) (d) (4) IF LOCATION OF EASEMENTS OR RIGHT-OF-WAY OF RECORD, OTHER THAN THOSE ON RECORD PLAT, IS REQUIRED, THIS INFORMATION MUST BE FURNISHED TO THE SURVEYOR AND MAPPER.

QUALITY CONTROL
BY : MEF DATE : 6/10/2015

I CERTIFY THAT THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17.05, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

FLORIDA STATUTE 5J-17.05 (3) (c): TWO SITE BENCHMARKS REQUIRED FOR CONSTRUCTION
NOT A CERTIFICATION OF TITLE, ZONING, EASEMENTS OR FREEDOM OF ENCUMBRANCES.
NOT VALID WITHOUT SURVEYOR'S SIGNATURE AND EMBOSSED SEAL

NOTE: IF APPLICABLE, FENCES SHOWN MEANDER ON OR OFF LINES. (APPROX. LOCATION ONLY)

NOTE: PROPERTY OWNER SHOULD OBTAIN WRITTEN FLOOD ZONE DETERMINATION FROM LOCAL PERMITTING, PLANNING AND BUILDING DEPARTMENT PRIOR TO ANY CONSTRUCTION PLANNING AND/OR CONSTRUCTION.

CERTIFICATION :
I CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE.
BY : Leland F DySard DATE : 6/9/15
CLINTON W. FINSTAD, PE, CFM, PLS #2453 LELAND F. DySARD, PLS #3859
MARY E. FINSTAD, CFM, PSM #5901

F.L.A. SURVEYS CORP.
PROFESSIONAL LAND SURVEYORS & MAPPERS-LB 6569
9220 BONITA BEACH ROAD, STE 200
BONITA SPRINGS, FL 34135
239-403-1600 FAX 403-8600
239-404-7129 239-580-2795
239-250-2792 239-825-8504
3884 PROGRESS AVE., SUITE 104
NAPLES, FL 34104

| DRAWN BY: | HA | PARTY CHIEF: | SM |
|---|---|---|---|

REVISIONS

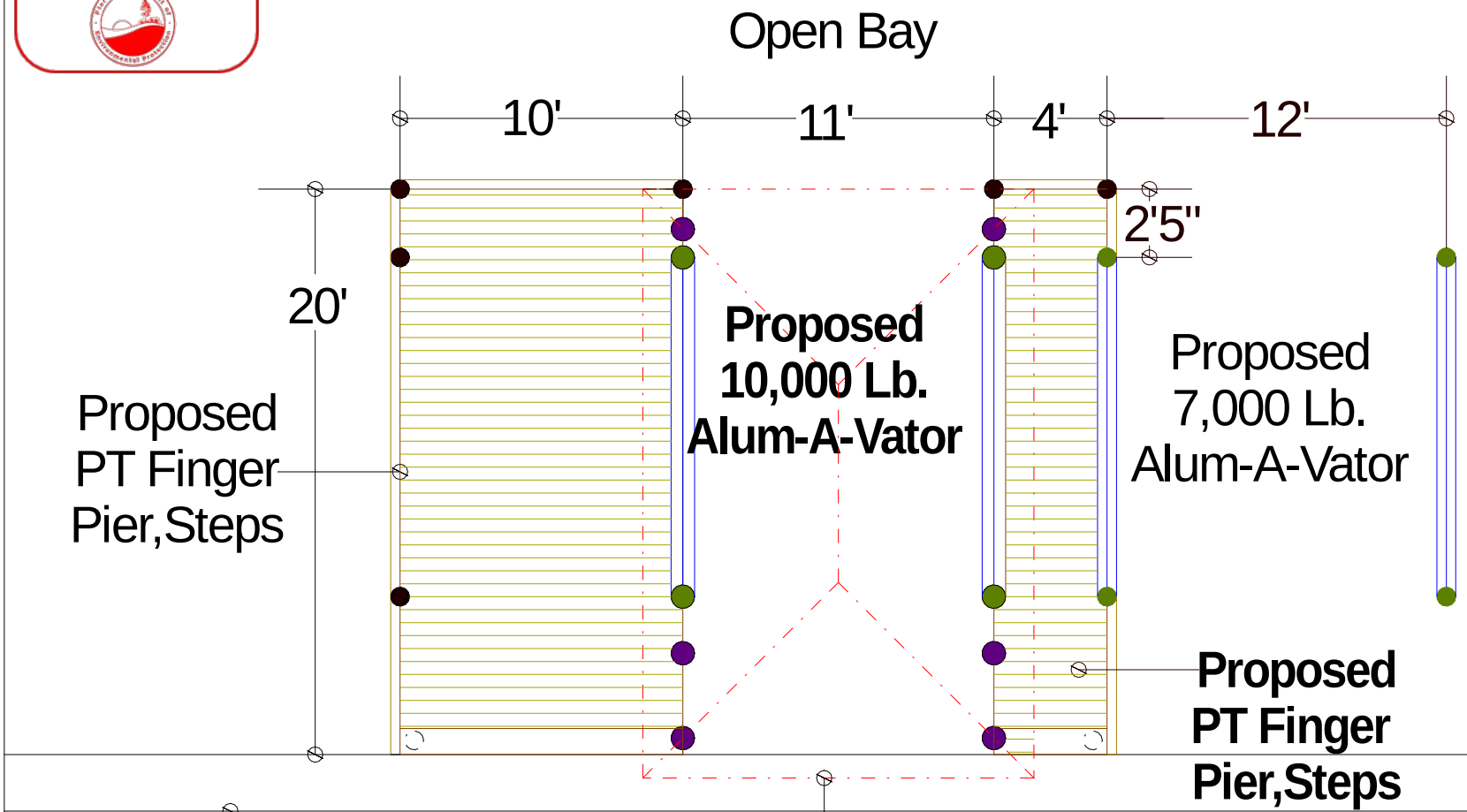
PROJECT NO:
15-85282-SPC

RECEIVED June 18, 2015
South District DEP

Attachment: Attachment E - Hearing Package PL20190000674 (16019 : PL20190000674 BDE 166 Tahiti

Received
Electronically
July 17, 2015
South District

***Note:** Each Boatlift will be Occupied by (1) Vessel Solely. Only (2) Vessels will be placed within Combined Boatslips.*




EXEMPT
File Number:
11-0335866-001

North

Scale:1"=6'

Nelson marine construction

Name Moses
Address 166 Tahiti Circle

| Date | Approval | DWG NO. |
|---|---|---|
| 7/15/15 | | |

Attachment: Attachment E - Hearing Package PL20190000674 (16019 : PL20190000674 BDE 166 Tahiti

EXEMPT
File Number: 11-0335866-001

Attachment: Attachment E - Hearing Package PL20190000674 (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses / Taylor)

## *SURVEY SKETCH OF BOUNDARY SURVEY*



NOT FOR FENCE CONSTRUCTION
NOT FOR CONSTRUCTION
NOT FOR DESIGN

# PHOTO PAGE





RECEIVED June 18, 2015
South District DEP

**F.L.A. SURVEYS CORP.**
PROFESSIONAL LAND SURVEYORS & MAPPERS - LB 6569

3884 PROGRESS AVE., SUITE 104
NAPLES, FLORIDA 34104
239-403-1600 FAX 403-8600
9220 BONITA BEACH ROAD, STE. 200
BONITA SPRINGS, FLORIDA 34135
239-403-1600 FAX 403-8600

REVISIONS

PROJECT NO.
15-85282

DRAWN BY: LFD | PARTY CHIEF: | N/A

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliercountyfl.gov

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

# Hybrid Virtual Quasi-Judicial Public Hearing Waiver

## Emergency/Executive Order 2020-04
## Hearing of the Collier County Hearing Examiner

For Petition Number(s): BDE PL20190000674

Regarding the above subject petition number(s), Mary Taylor (Name of Applicant) elects to proceed during the declared emergency with hybrid virtual public hearing of the Collier County Hearing Examiner, and waives the right to contest any procedural irregularity due to the hybrid virtual nature of the public hearing.

Name: Mary Taylor

Date: 5/10/21

Signature: M Taylor

☑ Applicant*

☐ Legal Counsel to Applicant

* This form must be signed by either the Applicant (if the applicant is a corporate entity, this must be an officer of the corporate entity) or the legal counsel to the Applicant.

Attachment: Attachment F - HEX Hybrid Meeting Waiver (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses / Taylor)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliercountyfl.gov

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

# Hybrid Virtual Quasi-Judicial Public Hearing Waiver

## Emergency/Executive Order 2020-04
## Hearing of the Collier County Hearing Examiner

For Petition Number(s): BDE PL20190000674

Regarding the above subject petition number(s), Robert Moses (Name of Applicant) elects to proceed during the declared emergency with hybrid virtual public hearing of the Collier County Hearing Examiner, and waives the right to contest any procedural irregularity due to the hybrid virtual nature of the public hearing.

Name: Robert Moses

Date: 5/4/21

Signature:

☑ Applicant*

☐ Legal Counsel to Applicant

* This form must be signed by either the Applicant (if the applicant is a corporate entity, this must be an officer of the corporate entity) or the legal counsel to the Applicant.

Attachment: Attachment F - HEX Hybrid Meeting Waiver (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses / Taylor)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliercountyfl.gov

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

# Hybrid Virtual Quasi-Judicial Public Hearing Waiver

## Emergency/Executive Order 2020-04
## Hearing of the Collier County Hearing Examiner

For Petition Number(s): BDE PL20190000674

Regarding the above subject petition number(s), Amy Moses (Name of Applicant) elects to proceed during the declared emergency with hybrid virtual public hearing of the Collier County Hearing Examiner, and waives the right to contest any procedural irregularity due to the hybrid virtual nature of the public hearing.

Name: Amy Moses Date: 5/4/21

Signature:

☑ Applicant*

☐ Legal Counsel to Applicant

* This form must be signed by either the Applicant (if the applicant is a corporate entity, this must be an officer of the corporate entity) or the legal counsel to the Applicant.

Attachment: Attachment F - HEX Hybrid Meeting Waiver (16019 : PL20190000674 BDE 166 Tahiti Circle - Moses / Taylor)

**COLLIER COUNTY**
**Collier County Hearing Examiner**

**Item Number:** 3.B
**Item Summary:** PETITION No. VA-PL20200001291 - Request for an after-the-fact variance from Section 4.02.01.A., Table 2.1, of the Collier County Land Development Code to reduce the minimum side yard setback from 7.5 feet to 7.35 feet for a single family dwelling and to reduce the minimum front yard setback from 25 feet to 21.69 feet for the attached covered entrance and to 19.69 feet for the roof overhang, for property located on Lot 82, Isles of Capri No. 1, also described as 41 Pelican Street West, in Section 31, Township 51 South, Range 26 East, Collier County, Florida. [Coordinator: John Kelly, Senior Planner] Commission District 1

**Meeting Date:** 06/10/2021

---

**Prepared by:**
Title: Planner – Zoning
Name: John Kelly
05/24/2021 1:33 PM

**Submitted by:**
Title: Planner, Principal – Zoning
Name: Anita Jenkins
05/24/2021 1:33 PM

---

**Approved By:**

Review:

| | | | | |
|---|---|---|---|---|
| Growth Management Operations & Regulatory Management | Kenneth Kovensky | Review Item | Completed | |
| Hearing Examiner (GMD Approvers) | Diane Lynch | Review Item | Completed | 05/24/2021 4:14 PM |
| Zoning | Ray Bellows | Review Item | Completed | 05/24/2021 5:32 PM |
| Zoning | Anita Jenkins | Zoning Director Review | Completed | 05/25/2021 9:00 AM |
| Hearing Examiner | Andrew Dickman | Meeting Pending | 06/10/2021 9:00 AM | |

# STAFF REPORT

**TO:** COLLIER COUNTY HEARING EXAMINER

**FROM:** GROWTH MANAGEMENT DEPARTMENT
ZONING DIVISION- ZONING SERVICES SECTION

**HEARING DATE:** JUNE 10, 2021

**SUBJECT:** PETITION VA-PL20200001291; 41 PELICAN STREET WEST - VARIANCE

---

## PROPERTY OWNER/APPLICANT:

Brian J. Cox
41 Pelican St W
Naples, FL 34113

## REQUESTED ACTION:

To have the Collier County Hearing Examiner (HEX) consider an after-the-fact variance from Section 4.02.01.A, Table 2.1, of the Land Development Code to reduce the minimum side yard setback from 7.5 feet to 7.35 feet for a single family dwelling and to reduce the minimum front yard setback from 25 feet to 21.69 feet for the attached covered entrance and to 19.69 feet for the roof overhang for the benefit of the subject location.

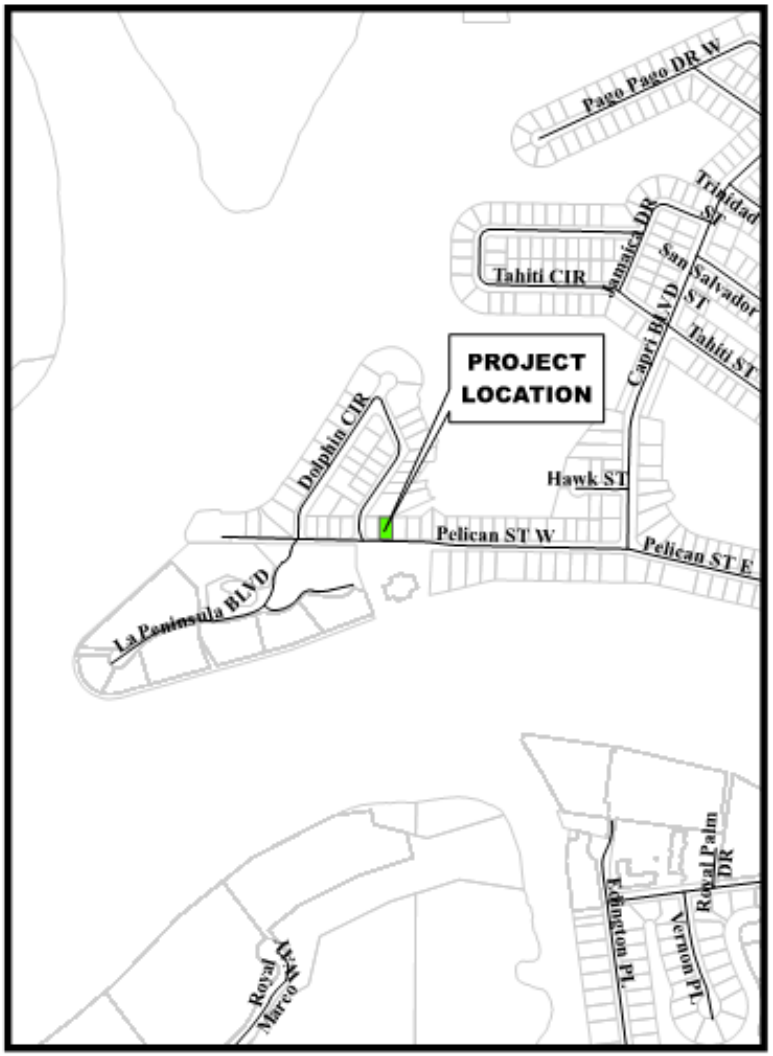
## GEOGRAPHIC LOCATION:

The subject property is located at 41 Pelican Street West and is legally described as Lot 82, Isles of Capri No. 1, in Section 31, Township 51 South, Range 26 East, Collier County, Florida. *(See location map below)*

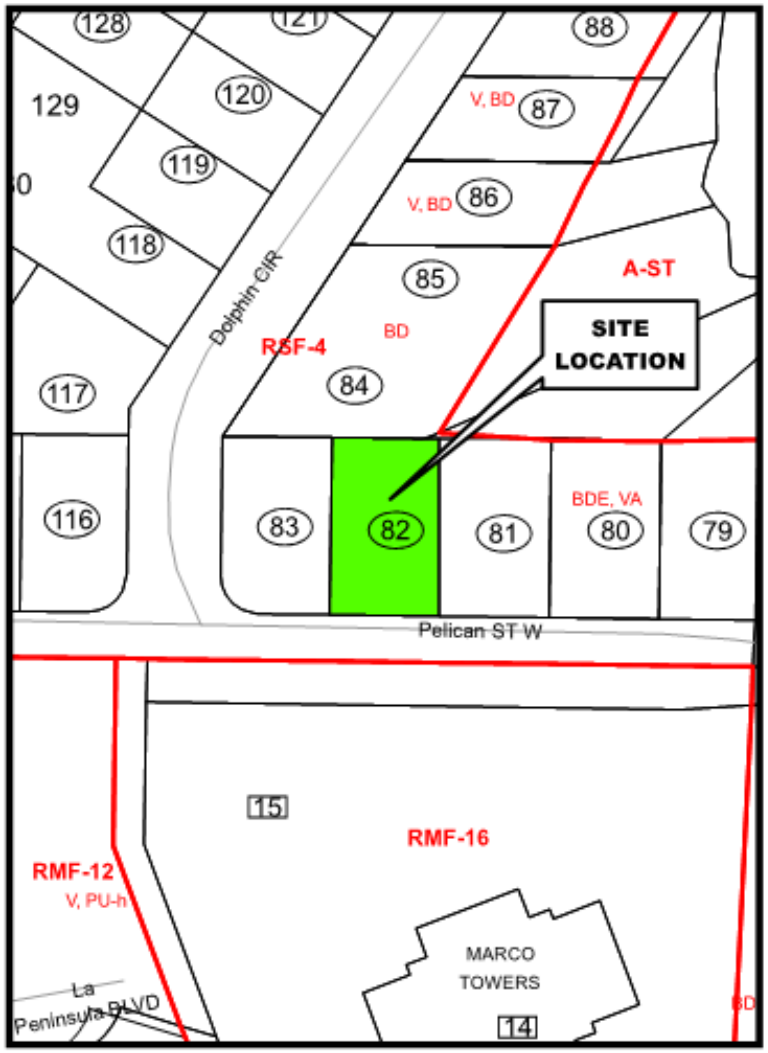
## PURPOSE/DESCRIPTION OF PROJECT:

The petitioner seeks an after-the-fact Variance to allow for the continued existence of a covered entry attached to the single-family dwelling at this location. Said covered entry was permitted by the County as part of Building Permit No. PRBD20180423309 in accord with a site plan demonstrating compliance with setbacks. Upon completion of construction it was determined by means of a survey that the covered entry encroaches 3.31 feet into the required 25-foot front yard and the roof overhang encroaches an additional 2 feet into said yard. The provided survey also demonstrated that the principal structure, constructed in accord with Building Permit No. 78-365, encroaches 0.15 feet into the required 7.5-foor east side yard. It was determined that both encroachment issues could be satisfied by means of the subject Variance request.

Attachment: VA-PL20200001291 Staff Report 052121 (16028 : PL20200001291 VA 41 Pelican Street West Cox)




Location Map




Zoning Map

Petition Number: PL20200001291



Attachment: VA-PL20200001291 Staff Report 052121 (16028 : PL20200001291 VA 41 Pelican Street West

## SURROUNDING LAND USE AND ZONING:

This section of the staff report identifies the land uses and zoning classifications for properties surrounding boundaries of the subject property:

**North**: Single-family residence in a Residential Single-Family-4 (RSF-4) zoning district

**South**: Pelican Street West (Right-of-Way) then parking lot serving a Multiple Family development known as Marco Towers, an 8-story building, located within a Residential Multiple-Family-16 zoning district

**East**: Single-family residence in a Residential Single-Family-4 (RSF-4) zoning district

**West**: Undeveloped property in a Residential Single-Family-4 (RSF-4) zoning district




*Collier County GIS*

Attachment: VA-PL20200001291 Staff Report 052121 (16028 : PL20200001291 VA 41 Pelican Street West Cox)

## GROWTH MANAGEMENT PLAN (GMP) CONSISTENCY:

Urban Designation, Urban Coastal Fringe Subdistrict, land use classification on the County's Future Land Use Map (FLUM) of the Future Land Use Element (FLUE) of the GMP. The GMP does not address individual Variance requests but deals with the larger issue of the actual use. The existing single-family use is consistent with the FLUM of the GMP. The requested variance does not have any impact on this property's consistency with the County's GMP.

## ZONING ANALYSIS:

The subject property comprises 0.17± acres within a Residential Single-Family-4 zoning district. The subject variance is to address two after-the-fact encroachments, each to be addressed individually. First is a roofed front entry, attached to the existing single-family residence, that was constructed 21.69 feet from the front (south) property line which results in an encroachment of 3.31 feet into the required 25-foot front yard. As per the LDC, roof overhangs are typically permitted to encroach up to 3-feet into required yards; however, in this case, as the structure already encroaches the applicant must request an additional 2 feet to satisfy encroachment of the roof overhang. As previously noted, a building permit was obtained for the front entry; however, the structure exceeded the allowed footprint.

The second encroachment issue was identified by zoning staff as a result of viewing the survey submitted identifying the first; it pertains to a 0.15-foot encroachment of the principal structure into the required 7.5-foot eastern side yard. This encroachment has existed since the residence was constructed in 1978 in accord with Building Permit No. 78-365 for which a Certificate of Occupancy was granted, see attachments. Staff notes that spot surveys to demonstrate compliance post construction were not required by the Building Department until 1989. The side yard encroachment is considered by the County to be de minimis as demonstrated by LDC Section 9.04.04.B.1 which states, in part:

> Residential structures shall be deemed compliant with the applicable development standards and no variance shall be required when the following additional conditions apply:
>
> a. The building permit and certificate of occupancy were approved in compliance with the required setbacks in effect at the time;
> b. The encroachment does not exceed three inches into the required yard;
> c. The only portion of the structure encroaching into the required yard is the exterior wall treatment; and
> d. The required structure to structure separation, as identified in LDC section 4.02.03, is satisfied.

The decision to grant a variance is based on the criteria in LDC Section 9.04.03.A–H (in bold font below). Staff has analyzed this petition relative to these provisions and offers the following responses:

**a. Are there special conditions and circumstances existing, which are peculiar to the**

Attachment: VA-PL20200001291 Staff Report 052121 (16028 : PL20200001291 VA 41 Pelican Street West Cox)

**location, size and characteristics of the land, structure or building involved?**

No, there is no land-related hardship. There are no special conditions or circumstances peculiar to the location, size and characteristics of the structure or building involved.

**b. Are there special conditions and circumstances, which do not result from the action of the applicant such as pre-existing conditions relative to the property, which are the subject of the Variance request?**

Yes, the subject residence was severely impacted by Hurricane Irma which necessitated repairs. The front entry was added to make the structure more architecturally appealing. The front yard encroachment issue was not identified until after the structure had been constructed.

**c. Will a literal interpretation of the provisions of this zoning code work unnecessary and undue hardship on the applicant or create practical difficulties for the applicant?**

Yes, modifying the existing front entry to comply with the required setback would be cost prohibitive and force the entry to be removed. The side yard encroachment does not require a variance; however, it provides for clear title in the event of future sale.

**d. Will the Variance, if granted, be the minimum Variance that will make possible the reasonable use of the land, building or structure and which promote standards of health, safety and welfare?**

Yes, the subject Variance, if granted, is the minimum required to satisfy both the front and side yard encroachment issues.

**e. Will granting the Variance confer on the applicant any special privilege that is denied by these zoning regulations to other lands, buildings, or structures in the same zoning district?**

By definition, a Variance bestows some dimensional relief from the zoning regulations specific to a site. LDC Section 9.04.02 allows relief through the Variance process for any dimensional development standard. As such, other properties facing a similar hardship would be entitled to make a similar request and would be conferred equal consideration on a case by case basis.

**f. Will granting the Variance be in harmony with the general intent and purpose of this Land Development Code, and not be injurious to the neighborhood, or otherwise detrimental to the public welfare?**

Yes, the general purpose and intent of the LDC for residential single-family zoned districts is to promote lands for single-family housing in areas of low density. The requested Variance will be in harmony with the general intent and purpose of the Land Development Code and

Attachment: VA-PL20200001291 Staff Report 052121 (16028 : PL20200001291 VA 41 Pelican Street West Cox)

will not harm public safety, health and welfare.

**g. Are there natural conditions or physically induced conditions that ameliorate the goals and objectives of the regulation such as natural preserves, lakes, golf courses, etc.?**

No; however, the front entry improves the appeal of the subject residence thereby enhancing the character of the neighborhood.

**h. Will granting the Variance be consistent with the Growth Management Plan?**

Yes, approval of this Variance will not affect or change the requirements of the GMP with respect to density, intensity, compatibility, access/connectivity, or any other applicable provisions.

## ENVIRONMENTAL ADVISORY COUNCIL (EAC) RECOMMENDATION:

The EAC does not normally hear variance petitions. Since the subject variance doesn't impact any preserve area, the EAC did not hear this petition.

## CONCURRENT LAND USE APPLICATIONS:

There are no concurrent land use applications under review at the present time

## RECOMMENDATION:

Staff is constrained from recommending approval of the front entry structure variance as a land related hardship has not been identified; however, staff also does not recommend denial as the applicant has presented several letters of support from neighbors which indicate the neighborhood believes the offending structure to be an improvement worthy of consideration (see Attachment F). Although a variance is not required for the side yard encroachment, staff believes that it should be included as part of the total variance request, if approved. Staff suggests the inclusion of Attachments A and B with any decision involving the front yard reduction from 25 feet to 21.69 feet for the front entry structure and to 19.69 feet for the roof overhang as well as the eastern side yard reduction from 7.5 feet to 7.35 feet for the principal structure.

Attachments:

A. Boundary Survey
B. Construction Plan, front entry
C. Sign Posting and photos
D. Building Permit PRBD20180423309
E. Building Permit 78-365
F. Applicant's Backup; Application, Narrative, Authorizations, etc.
G. HEX Hybrid Meeting Waiver

Attachment: VA-PL20200001291 Staff Report 052121 (16028 : PL20200001291 VA 41 Pelican Street West Cox)

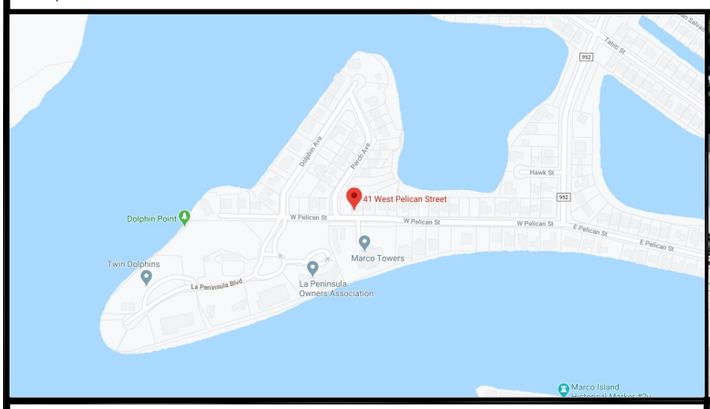
# JOHN IBARRA & ASSOCIATES, INC.

**Professional Land Surveyors & Mappers**

WWW.IBARRALANDSURVEYORS.COM

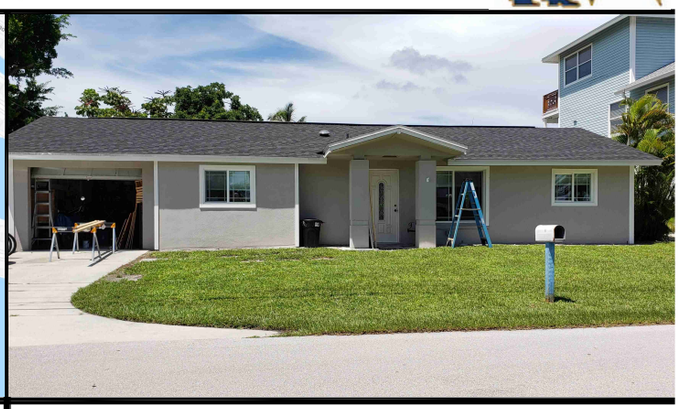
777 N.W. 72ND AVENUE
SUITE 3025
MIAMI, FL 33126
PH: (305) 262-0400
FAX: (305) 262.0401

4040 DEL PRADO BLVD S
SUITE 823
CAPE CORAL, FL 33904
PH: (239) 540-2660
FAX: (239) 540-2644


## LOCATION SKETCH

SCALE = N.T.S.



## VIEW OF SUBJECT PROPERTY

41 PELICAN STREET W, NAPLES, FLORIDA 34113

## ABBREVIATIONS

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| A | = ARC. | E.T.P. | = ELECTRIC TRANSFORMER PAD | O.R.B. | = OFFICIAL RECORDS BOOK | T | = TANGENT |
| A/C | = AIR CONDITIONER PAD | ELEV. | = ELEVATION | O.V.H. | = OVERHANG | TB | = TELEPHONE BOOTH |
| A.E. | = ANCHOR EASEMENT | ENCR. | = ENCROACHMENT | PVMT. | = PAVEMENT | T.B.M. | = TEMPORARY BENCHMARK |
| A.R. | = ALUMINUM ROOF | F.H. | = FIRE HYDRANT | PL. | = PLANTER | T.U.E. | = TECHNOLOGY UTILITY EASEMENT |
| A.S. | = ALUMINUM SHED | F.I.P. | = FOUND IRON PIPE | P.L. | = PROPERTY LINE | TSB | = TRAFFIC SIGNAL BOX |
| ASPH. | = ASPHALT | F.I.R. | = FOUND IRON ROD | P.C.C. | = POINT OF COMPOUND CURVATURE | T.S.P. | = TRAFFIC SIGNAL POLE |
| B.C. | = BLOCK CORNER | F.F.E. | = FINISHED FLOOR ELEVATION | P.C. | = POINT OF CURVATURE | TWP | = TOWNSHIP |
| BLDG. | = BUILDING | F.N.D. | = FOUND NAIL & DISK | P.O.T. | = POINT OF TANGENCY | UTIL. | = UTILITY |
| B.M. | = BENCH MARK | FT. | = FEET | P.O.C. | = POINT OF COMMENCEMENT | U.E. | = UTILITY EASEMENT |
| B.C.R. | = BROWARD COUNTY RECORDS | FNIP. | = FEDERAL NATIONAL INSURANCE PROGRAM | P.O.B. | = POINT OF BEGINNING | U.P. | = UTILITY POLE |
| B.O.B. | = BASIS OF BEARING | F.N. | = FOUND NAIL | P.R.C. | = POINT OF REVERSE CURVATURE | W.M. | = WATER METER |
| B.S.L. | = BUILDING SETBACK LINE | H. | = HIGH OR (HEIGHT) | PWY | = PARKWAY | W.F. | = WOOD FENCE |
| (C) | = CALCULATED | IN.&EG. | = INGRESS AND EGRESS EASEMENT | P.R.M. | = PERMANENT REFERENCE MONUMENT | W.P. | = WOOD PORCH |
| C.B. | = CATCH BASIN | I.C.V. | = IRRIGATION CONTROL VALVE | P.L.S. | = PROFESSIONAL LAND SURVEYOR | W.R. | = WOOD ROOF |
| C.B.S. | = CONCRETE BLOCK STRUCTURE | I.F. | = IRON FENCE | P.P. | = POWER POLE | W.V. | = WATER VALVE |
| C.B.W. | = CONCRETE BLOCK WALL | L.B. | = LICENSED BUSINESS | P.P.S. | = POOL PUMP SLAB | ℳ | = MONUMENT LINE |
| CH. | = CHORD | L.P | = LIGHT POLE | P.U.E. | = PUBLIC UTILITY EASEMENT | ℄ | = CENTER LINE |
| CH.B. | = CHORD BEARING | L.F.E. | = LOWEST FLOOR ELEVATION | (R) | = RECORD DISTANCE | △ | = DELTA |
| CH.L. | = CHORD LENGTH | L.M.E. | = LAKE MAINTENANCE EASEMENT | R.R. | = RAIL ROAD | | |
| CL. | = CLEAR | ' | = MINUTES | RES. | = RESIDENCE | | |
| C.O. | = CLEAN OUT | (M) | = MEASURED DISTANCE | R/W | = RIGHT-OF-WAY | | |
| C.L.F. | = CHAIN LINK FENCE | M.B. | = MAIL BOX | RAD. | = RADIUS OR RADIAL | | |
| C.M.E | = CANAL MAINTENANCE EASEMENT | M.D.C.R. | = MIAMI DADE COUNTY RECORDS | RGE. | = RANGE | | |
| CONC. | = CONCRETE | M.E. | = MAINTENANCE EASEMENT | R.O.E. | = ROOF OVERHANG EASEMENT | | |
| C.U.P. | = CONCRETE UTILITY POLE | M.H. | = MANHOLE | SEC. | = SECTION | | |
| C.P. | = CONCRETE PORCH | N.A.P. | = NOT A PART OF | STY. | = STORY | | |
| C.S. | = CONCRETE SLAB | NGVD | = NATIONAL GEODETIC VERTICAL DATUM | SWK. | = SIDEWALK | | |
| C.W. | = CONCRETE WALK | N.T.S. | = NOT TO SCALE | S.I.P. | = SET IRON PIPE | | |
| D.E. | = DRAINAGE EASEMENT | # OR NO. | = NUMBER | S | = SOUTH | | |
| D.M.E. | = DRAINAGE MAINTENANCE EASEMENT | O/S | = OFFSET | S.P. | = SCREENED PORCH | | |
| DRIVE | = DRIVEWAY | O.H. | = OVERHEAD | S.V. | = SEWER VALVE | | |
| ° | = DEGREES | O.H.L. | = OVERHEAD UTILITY LINES | " | = SECONDS | | |
| EB | = ELECTRIC BOX | | | | | | |

### LEGEND

= OVERHEAD UTILITY LINES
= CONCRETE BLOCK WALL
= CHAIN LINK FENCE
= IRON FENCE
= WOOD FENCE
= BUILDING SETBACK LINE
= UTILITY EASEMENT
= LIMITED ACCESS R/W
= NON-VEHICULAR ACCESS R/W
× 0.00 = EXISTING ELEVATIONS

## LEGAL NOTES TO ACCOMPANY SKETCH OF SURVEY :

- THERE MAY BE EASEMENTS RECORDED IN THE PUBLIC RECORDS NOT SHOWN ON THIS SURVEY.
- THE PURPOSE OF THIS SURVEY IS FOR USE IN OBTAINING TITLE INSURANCE AND FINANCING AND SHOULD NOT BE USED FOR CONSTRUCTION PURPOSES.
- EXAMINATIONS OF THE ABSTRACT OF TITLE WILL HAVE TO BE MADE TO DETERMINE RECORDED INSTRUMENTS, IF ANY, AFFECTING THE PROPERTY.
- THIS SURVEY IS SUBJECT TO DEDICATIONS, LIMITATIONS, RESTRICTIONS, RESERVATIONS OR EASEMENTS OF RECORD.
- LEGAL DESCRIPTIONS PROVIDED BY CLIENT OR ATTESTING TITLE COMPANY.
- BOUNDARY SURVEY MEANS A DRAWING AND/ OR A GRAPHIC REPRESENTATION OF THE SURVEY WORK PERFORMED IN THE FIELD, COULD BE DRAWN AT A SHOWN SCALE AND/OR NOT TO SCALE; THE WALLS OR FENCES MAY BE EXAGGERATED FOR CLARITY PURPOSES.
- EASEMENTS AS SHOWN ARE PER PLAT BOOK, UNLESS DEPICTED OTHERWISE.
- THE TERM "ENCROACHMENT" MEANS VISIBLE AND ABOVE GROUND ENCROACHMENTS.
- ARCHITECTS SHALL VERIFY ZONING REGULATIONS, RESTRICTIONS, SETBACKS AND WILL BE RESPONSIBLE FOR SUBMITTING PLOT PLANS WITH CORRECT INFORMATION FOR "APPROVAL FOR AUTHORIZATION" TO THE PROPER AUTHORITIES IN NEW CONSTRUCTION.
- UNLESS OTHERWISE NOTED, THIS FIRM HAS NOT ATTEMPTED TO LOCATE FOOTING AND/OR FOUNDATIONS.
- **FENCE OWNERSHIP NOT DETERMINED.**
- THIS PLAN OF SURVEY, HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE ENTITIES NAMED HEREON, THE CERTIFICATE DOES NOT EXTEND TO ANY UNNAMED PARTY.

## SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY: THIS "BOUNDARY SURVEY" OF THE PROPERTY DESCRIBED HEREON, H RECENTLY BEEN SURVEYED AND DRAWN UNDER MY SUPERVISION, AND COMPLIES WITH STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAI SURVEYORS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE PURSUANT TO 472.027, FLORIDA STATUTES.

BY: _____ 08/20/2020
JOHN IBARRA (DATE OF FIELD WORK)

PROFESSIONAL LAND SURVEYOR NO.: 5204 **STATE OF FLORIDA**
(NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER).

REVISED ON: _____

REVISED ON: _____

## FLOOD ZONE INFORMATION:

BY PERFORMING A SEARCH WITH THE LOCAL GOVERNING MUNICIPALITY OR WWW.FEMA.GOV, THE PROPERTY APPEARS TO BE LOCATED IN ZONE AE (WITH A BASE FLOOD ELEVATION OF 8.00 FT). THIS PROPERTY WAS FOUND IN COLLIER COUNTY, COMMUNITY NUMBER 120067, DATED 05/16/12.

| | |
|---|---|
| **DRAWN BY:** | J.G. |
| **FIELD DATE:** | 8/20/2020 |
| **SURVEY NO:** | 16-004296-2 |
| **SHEET:** | **1 OF 2** |

## SURVEYOR' S NOTES:

1. IF SHOWN, BEARINGS ARE REFERRED TO AN ASSUMED MERIDIAN, BY SAID PLAT IN THE DESCRIPTION OF THE PROPERTY, IF NOT, BEARINGS ARE THEN REFERRED TO COUNTY, TOWNSHIP MAPS.
2. THE CLOSURE IN THE BOUNDARY SURVEY IS ABOVE 1:7500 FT.
3. CERTIFICATE OF AUTHORIZATION LB # 7806.

JOHN IBARRA CERTIFICATE NO. 5204 STATE OF FLORIDA PROFESSIONAL LAND SURVEYOR

Attachment: Attachment A - Boundary Survey (16028 : PL20200001291 VA 41 Pelican Street West Cox)

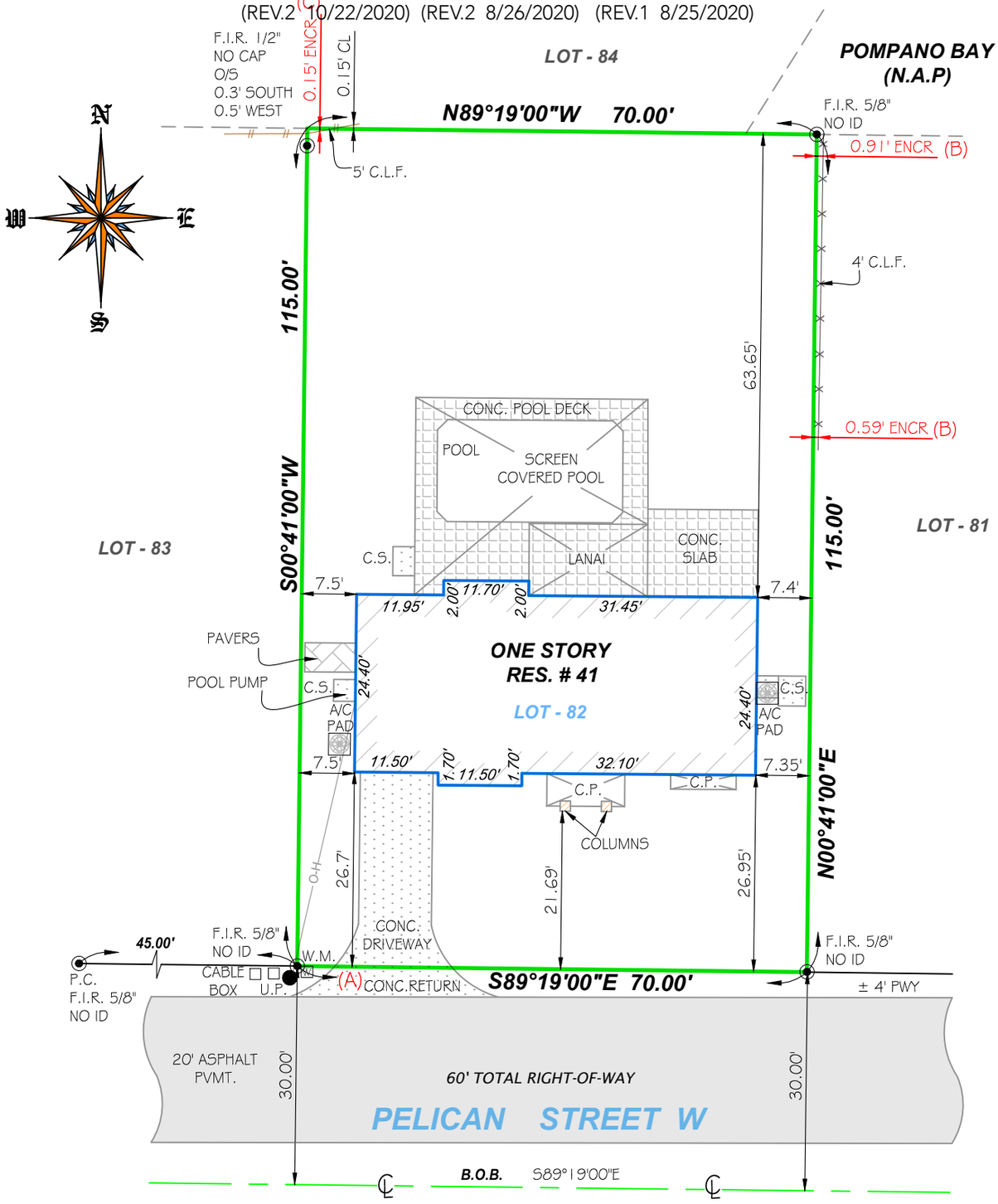
JOHN IBARRA & ASSOCIATES, INC.
Professional Land Surveyors & Mappers
WWW.IBARRALANDSURVEYORS.COM
777 N.W. 72nd AVENUE
SUITE 3025
MIAMI, FL 33126
PH: (305) 262-0400
FAX: (305) 262.0401

3725 DEL PRADO BLVD. S.
SUITE B
CAPE CORAL, FL 33904
PH: (239) 540-2660
FAX: (239) 540-2664

# MAP OF BOUNDARY SURVEY

41 PELICAN STREET W, NAPLES, FLORIDA 34113

(REV.2 10/22/2020) (REV.2 8/26/2020) (REV.1 8/25/2020)




## ENCROACHMENT NOTES:

A. SOUTH SIDE OF THE SUBJECT PROPERTY, CONCRETE RETURN IS ENCROACHING INTO THE RIGHT OF WAY OF PELICAN STREET W.
B. EAST SIDE OF THE SUBJECT PROPERTY, CHAIN LINK FENCE IS ENCROACHING INTO THE NEIGHBOR'S PROPERTY.
C. NORTH SIDE OF THE SUBJECT PROPERTY, NEIGHBORS CHAIN LINK FENCE IS ENCROACHING INTO THE SUBJECT PROPERTY.

**GRAPHIC SCALE**

-20 0 10 20

(IN FEET)

1 INCH = 20 FEET

JOHN IBARRA CERTIFICATE NO. 5204 STATE OF FLORIDA PROFESSIONAL LAND SURVEYOR

LB#7806

**LEGAL DESCRIPTION:**

LOT 82, ISLES OF CAPRI NO. 1, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, PAGE 41, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

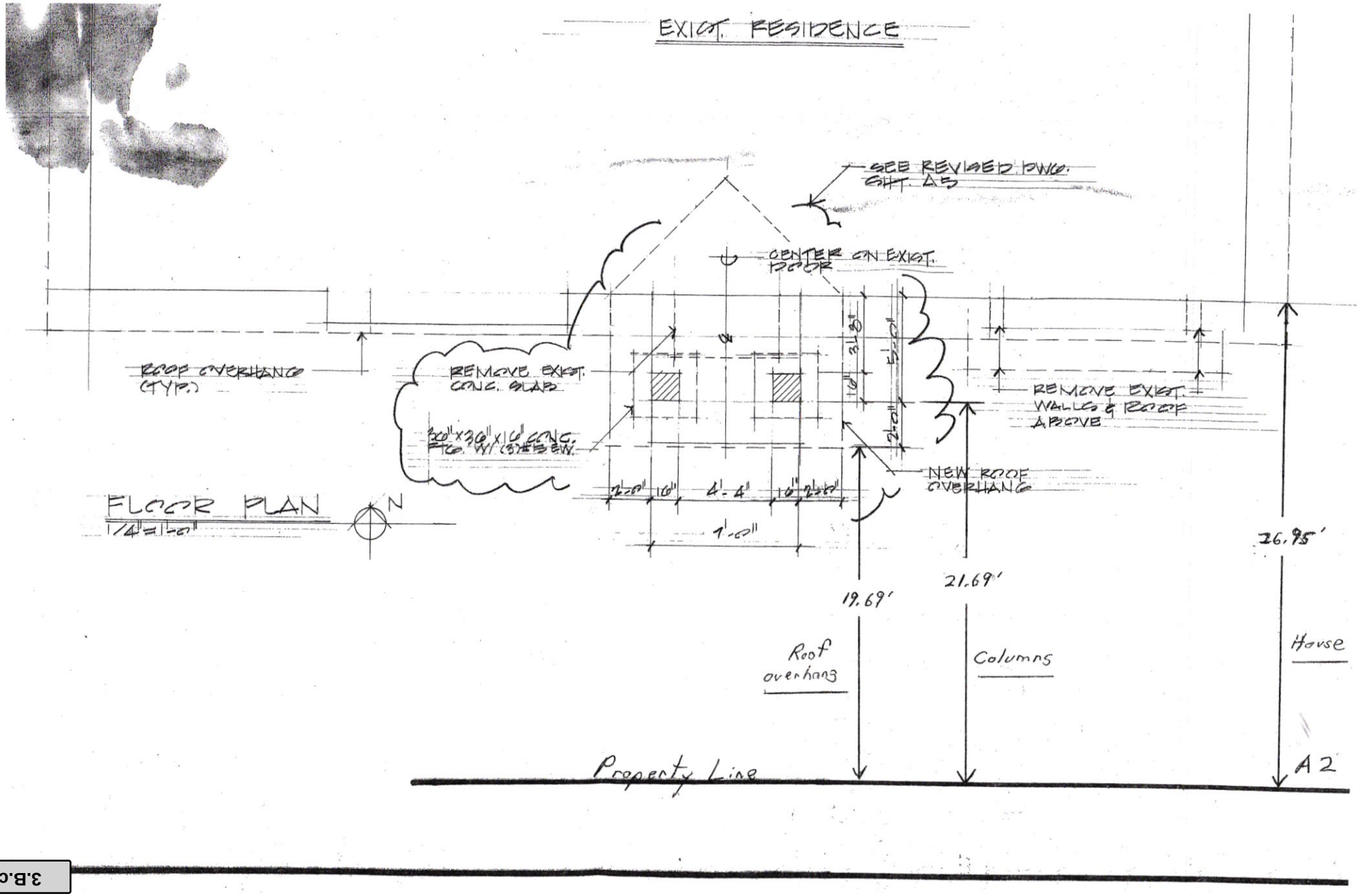
**CERTIFICATION:**

BRIAN J. COX

| | |
|---|---|
| DRAWN BY: | J.G. |
| FIELD DATE: | 8/20/2020 |
| SURVEY NO: | 16-004296-2 |
| SHEET: | 2 OF 2 |

Attachment: Attachment A - Boundary Survey (16028 : PL20200001291 VA 41 Pelican Street West Cox)

Attachment: Attachment B - Construction Plan (16028 : PL20200001291 VA 41 Pelican Street West Cox)



## KellyJohn

**From:** KellyJohn
**Sent:** Friday, May 21, 2021 2:07 PM
**To:** KellyJohn
**Subject:** VA-PL20200001291 Public Hearing Sign Posting
**Attachments:** 9C357769-0586-432A-B90B-949FEABF67EB.jpeg; 8EC28761-71ED-46D5-851B-6D89EEAF209E.jpeg; 90E487D7-1949-4597-BA22-80B51F843623.jpeg

Notice of Public Hearing was posted to the front of 41Pelican Street West, immediately adjacent to the public right-of-way, at approximately 12:30 p.m. this date as evidenced by the attached photographs.

Respectfully,
*John Kelly*
Senior Planner

***Zoning Division – Zoning Services Section***
**2800 North Horseshoe Drive, Naples Florida 34104**
**Phone: 239.252.5719 Fax: 239.252.6363**

***NOTE: Email Address Has Changed***
**Email:** John.Kelly@colliercountyfl.gov

*Tell us how we are doing by taking our Zoning Division Survey at* http://bit.ly/CollierZoning

Collier County
***Growth Management Department***

Under Florida Law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by telephone or in writing.

Attachment: Attachment C - Sign Posting and Photos (16028 : PL20200001291 VA 41 Pelican Street West Cox)






Attachment: Attachment C - Sign Posting and Photos (16028 : PL20200001291 VA 41 Pelican Street West Cox)




Attachment: Attachment C - Sign Posting and Photos (16028 : PL20200001291 VA 41 Pelican Street West Cox)

# COLLIER COUNTY
# BOARD OF COUNTY COMMISSIONERS

## PERMIT

**PERMIT #: PRBD2018042330901** PERMIT TYPE: BD
ISSUED: BY: APPLIED DATE: 04-05-18 APPROVAL DATE: 08-23-18
MASTER #: COA:

JOB ADDRESS: 41 Pelican ST W
JOB DESCRIPTION: storm damage drywall replacement new flooring - New Kitchens and Baths, New Covered Entry, New Raised deck with spiral stairs. New windows and doors.
41 PELICAN ST W

Case Number: CESD20180005544
Case Description: Unpermitted interior renovations, see Contractor Licensing case CECV20180005497
Work completed by current owner. The Permit by Affidavit will not be accepted for this permit. All inspections to be completed by Collier County. Owner/Contractor to expose all hidden work for inspectors to determine code compliance.

JOB PHONE:

SUBDIVISION #: BLOCK: LOT:
FLOOD MAP: ZONE: ELEVATION:
FOLIO #: 52343080007 SECTION-TOWNSHIP-RANGE: 31-51-26

OWNER INFORMATION:
COX, BRIAN J P O BOX 313
<NO STREET ADDRESS>
PACIFICA, CA 94044-

CONTRACTOR INFORMATION:

CERTIFICATE #: PHONE:

FCC CODE:
CONSTRUCTION CODE: 0220
JOB VALUE: $50,000.00 TOTAL RES SQFT: 980 TOTAL COMM SQFT: 0

SETBACKS FRONT: 25 (3' roof protrusion) REAR: 25 LEFT: 7.5
RIGHT: 7.5
SEWER: WATER:
CONTACT NAME:
CONTACT PHONE:

Per Collier County Ordinance No. 2002-01, as it may be amended, all work must comply with all applicable laws, codes, ordinances, and any additiona stipulations or conditions of this permit. This permit expires if work authorized by the permit is not commenced within six (6) months from the date of issuance of the permit. Additional fees for failing to obtain permits prior to the commencement of construction may be imposed. Permittee(s) further understands that any contractor that may be employed must be a licensed contractor and that the structure must not be used or occupied until a Certificate of Occupancy is issued.

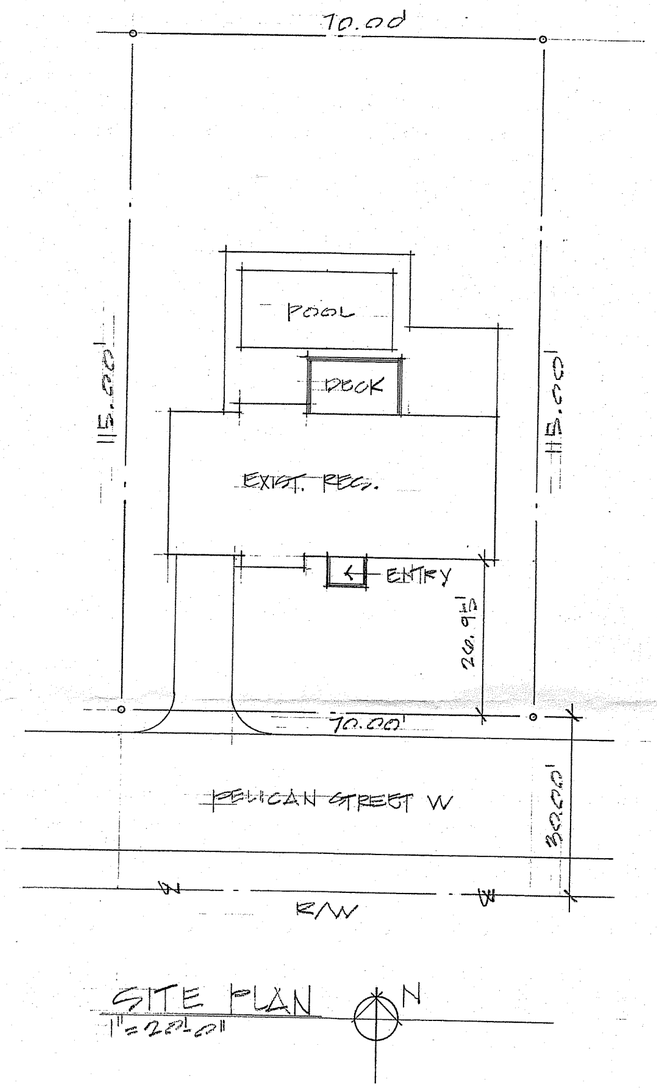
**NOTICE: PRIOR TO THE REMOVAL OF ASBESTOS PRODUCTS OR THE DEMOLITION OF A STRUCTURE, FEDERAL AND STATE LAWS REQUIRE THE PERMITTEE (EITHER THE OWNER OR CONTRACTOR) TO SUBMIT A NOTICE OF THE INTENDED WORK TO THE STATE DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP). FOR MORE INFORMATION, CONTACT DEP AT (239) 344-5600.**

**In addition to the conditions of this permit, there may be additional restrictions applicable to this property that may be found in the public records of this county, and there may be additional permits required from other governmental entities such as water management districts, state agencies, or federal agencies.**

Attachment: Attachment D - Permit PRBD20180423309 (16028 : PL20200001291 VA 41 Pelican Street West Cox)

**WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT.**

Attachment: Attachment D - Permit PRBD20180423309 (16028 : PL20200001291 VA 41 Pelican Street West Cox)




Wind Speed 169 mph (Vult) 131 mph (Vasd)
Risk Cat II
Exposure D
Enclosed
End Zones and Corners are 3-feet in width
Component and Cladding Pressures (TA < 10 sf)

**Roof**

| | |
|---|---|
| Area | 10 sf |
| Negative Zone 1 | -41.5 |
| Negative Zone 2 | -72.2 |
| Negative Zone 3 | -106.8 |
| Positive All Zones | 26.1 |
| Overhang Zone 2 | -84.5 |
| Overhang Zone 3 | -142.1 |

**Walls**

| | |
|---|---|
| Area | 10 sf |
| Negative Zone 4 | -49.2 |
| Negative Zone 5 | -60.7 |
| Positive Zone 4 & 5 | 45.3 |

## General Notes:

1. Contractor shall field verify all building dimensions and site conditions before commencing work. Any conflicts or discrepancies shall be brought to the attention of the Architect inwriting. Do not proceed with installation until conflicts or discrepancies are resolved.

2. Contractor shall finish all additional data and documentation to secure all required permits and shall coordinate this data with the construction documents where required.

3. As a minimum, plans have been prepared in compliance with the *2017 Florida Building Code; 2017 Florida Building Code Existing Building, Alterations-Level 2* and all state adopted changes. Where more stringent codes are adopted, they shall govern the work.

4. All work shall conform to applicable state and county ordinances.

5. All electrical work shall conform to the *2014 National Electric Code*.

6. Construct enclosures around pipes, conduits, and ducts of the same material and finish as adjacent construction.

7. Provide and install necessary blocking, bracing, and reinforcement for surface mounted equipment, devices, and assemblies.

8. Dimensions are face of wall or partition unless noted otherwise.

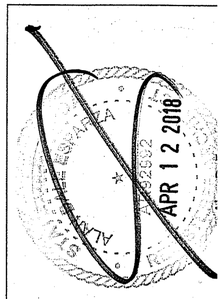
9. Owner assumes no responsibility for protection of Contractor's property and tools against fire, theft, and environmental conditions.

10. Dispose of debris per Collier County requirements.

11. Provide necessary bracing, shoring, and screening as required to protect residence from dust and damage to interior surfaces, finishes, and furnishings.

Alan D. Esparza, Architect
PO Box 110493
Naples, FL 34108
Florida License No. AR92902

Cox Residence
41 Pelican West
Naples, FL 34113



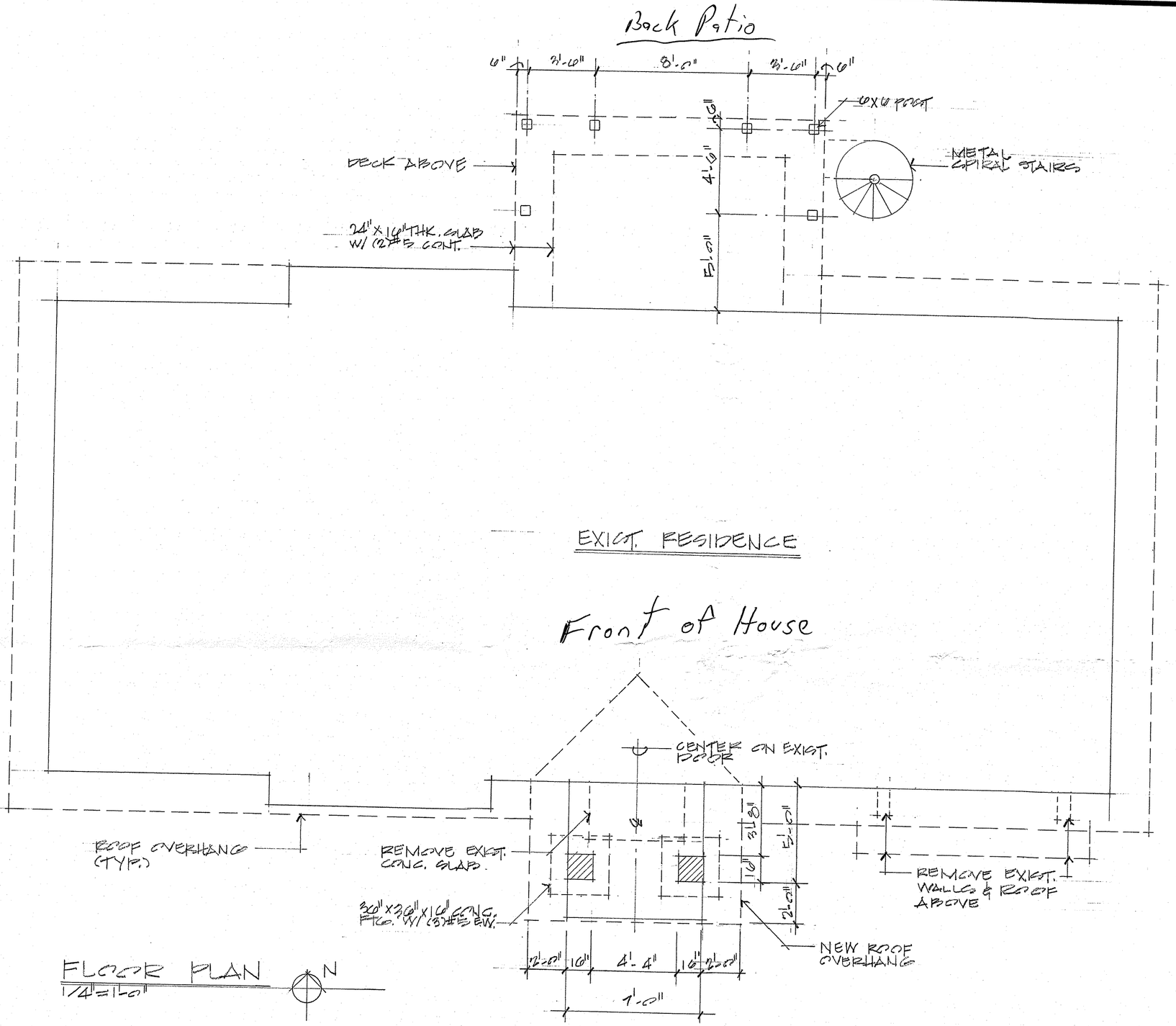

| | |
|---|---|
| Issue For Permit | |
| Issue Date | |
| Drawn By | ADE |
| Checked By | ADE |

**A1**

Sheet Name

Project Number

Attachment: Attachment D - Permit PRBD20180423309 (16028 : PL20200001291 VA 41 Pelican Street West Cox)




Alan D. Esparza, Architect
PO Box 110493
Naples, FL 34108
Florida License No. AR92992
239-322-9852 swflarch@gmail.com

Cox Residence
41 Pelican West
Naples, FL 34113

APR 1 2 2018
Alan D. Esparza
AR92992

| |
|---|
| Issue For Permit |
| Issue Date |
| Drawn By ADE |
| Checked By ADE |

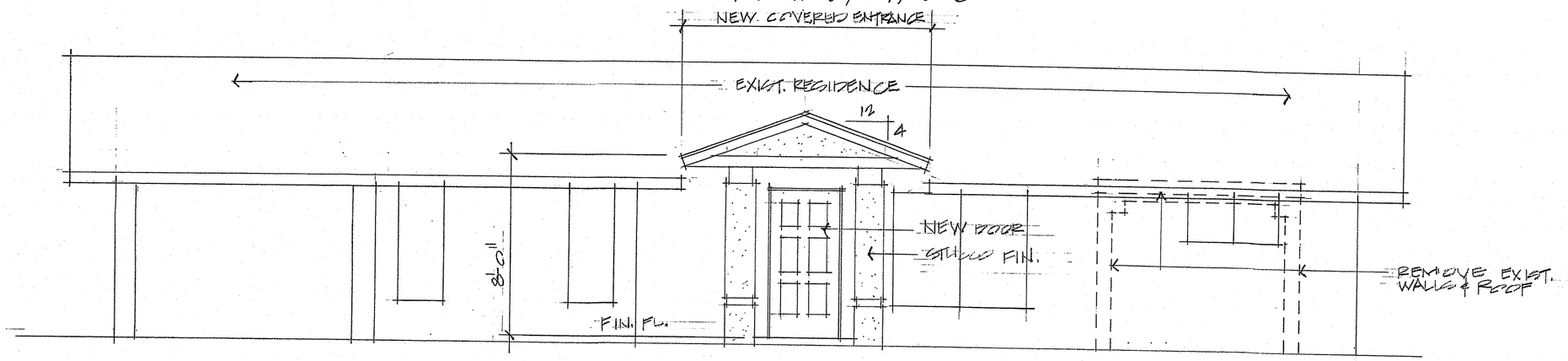
**A2**

Sheet Name

Project Number

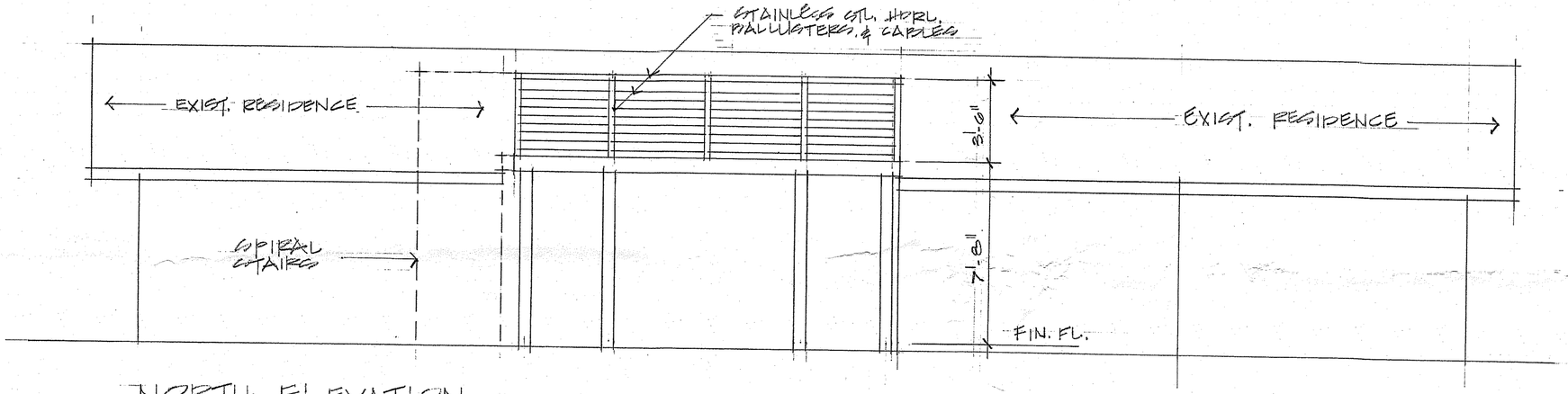
Attachment: Attachment D - Permit PRBD20180423309 (16028 : PL20200001291 VA 41 Pelican Street West Cox)

Front of House




SOUTH ELEVATION
1/4"=1'-0"

Back Patio




NORTH ELEVATION
1/4"=1'-0"

Alan D. Esparza, Architect
PO Box 110493
Naples, FL 34108
Florida License No. AR92992
239-322-9852 swflarch@gmail.com

Cox Residence
41 Pelican West
Naples, FL 34113

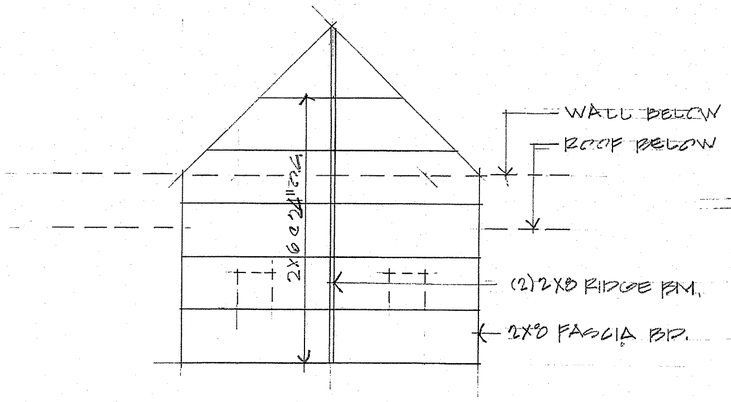
APR 12 2018
Alan D. Esparza
AR92992

| |
|---|
| Issue For Permit |
| Issue Date |
| Drawn By ADE |
| Checked By ADE |

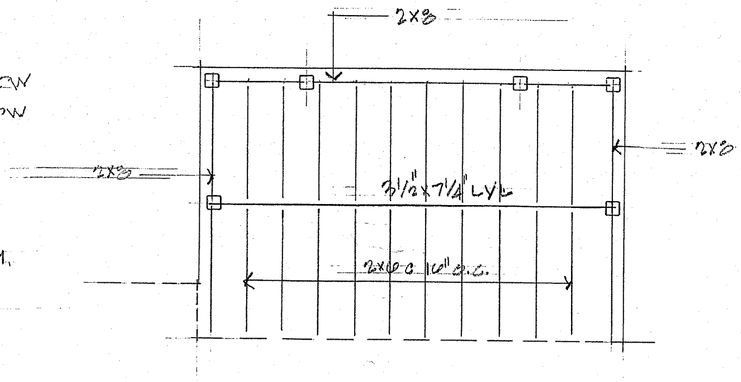
**A3**
Sheet Name
Project Number

Attachment: Attachment D - Permit PRBD20180423309 (16028 : PL20200001291 VA 41 Pelican Street West Cox)

Front of House

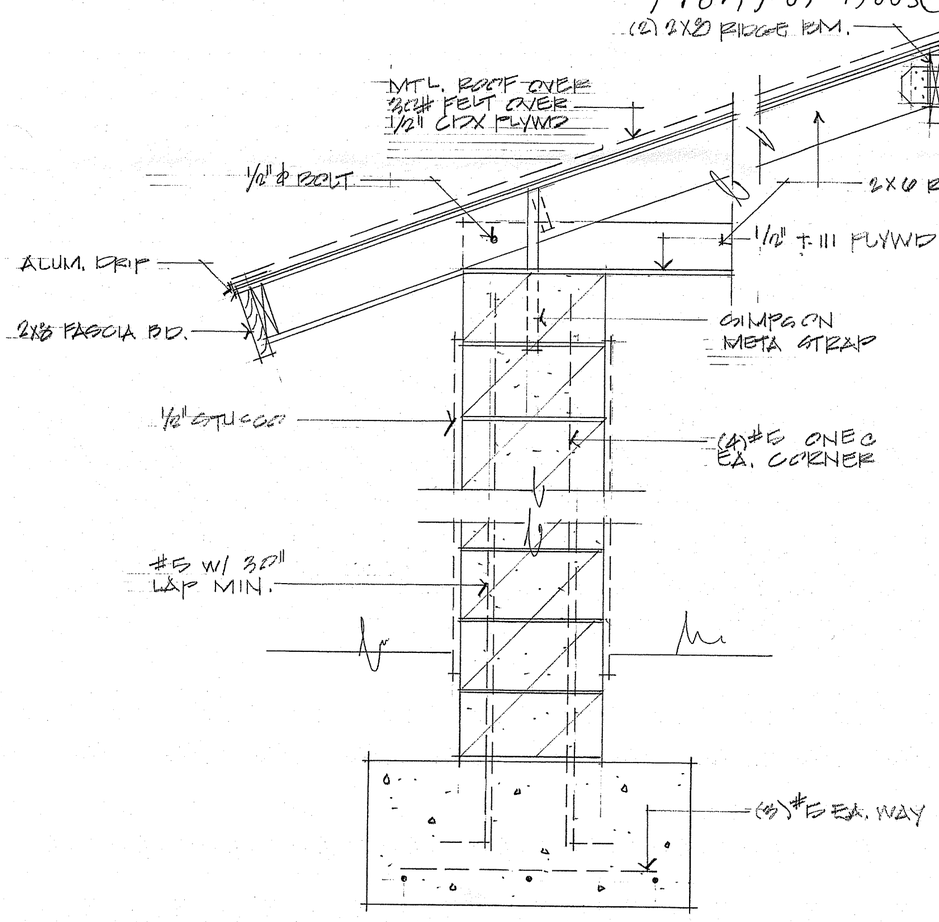



ROOF OVERHANG
1/4"=1'-0"



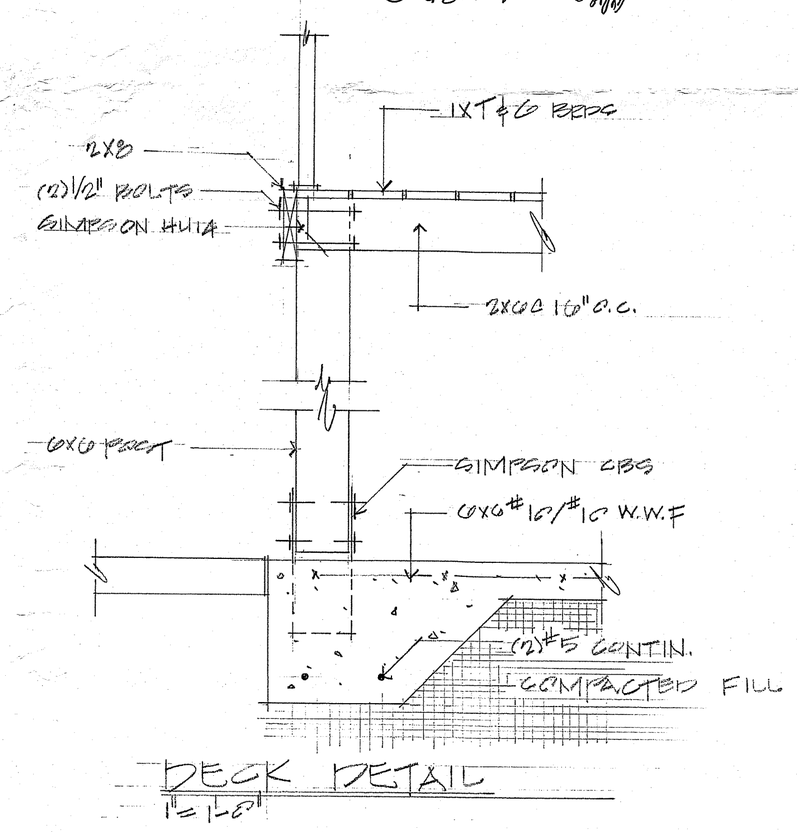

DECK FRAMING
1/4"=1'-0"

Front of House




ENTRANCE DETAIL
1"=1'-0"

Back Patio




DECK DETAIL
1"=1'-0"

Alan D. Esparza, Architect
PO Box 110493
Naples, FL 34108
Florida License No. AR92992
239-322-9852 swflarch@gmail.com

Cox Residence
41 Pelican West
Naples, FL 34113

APR 1 2 2018
Alan D. Esparza
AR92992

| |
|---|
| Issue For Permit |
| Issue Date |
| Drawn By ADE |
| Checked By ADE |

**A4**
Sheet Name

Project Number

Attachment: Attachment D - Permit PRBD20180423309 (16028 : PL20200001291 VA 41 Pelican Street West Cox)

# APPLICATION FOR BUILDING PERMIT

COLLIER COUNTY, FLORIDA

DATE APPLIED 1-24-78

PERMIT NUMBER 78-365 DATE ISSUED 2-1-78

NAME of OWNER Kenneth Dickerson Jr. PHONE

JOB ADDRESS 41 Pelican Street

CONTRACTOR Richmond Homes State Reg. CGC00620 C.C.

ARCHITECT Address

ELECTRICAL Desear State Reg. ER0005271 C.C.

PLUMBING Campbell State Reg. C.C. 566

AIR COND/MECH M & M State Reg. RA0R16657 C.C.

ROOFING Greenling State Reg. RC0020142 C.C.

SWIMMING POOL State Reg. C.C.

**LEGAL**

LOT 82 BLOCK UNIT SUBDIVISION Isles Capri

OR METES AND BOUNDS

**BUILDING**

Permit to Build-Alter-Repair-Move C.B.S. Bldg.

Size 55 x 36 Height 12 No. of Stories 1

A copy of the approved plans and specifications shall be kept at the building site during construction.

Use Residence Building or Structure will face

Zoning RS-4

**ZONING**

| | | ORDINANCE STANDARDS | |
|---|---|---|---|
| Lot Area | | Minimum Lot Area | |
| Front Yard Set Back | 25 | Maximum Building Height | |
| Rear Yard Set Back | 54 | Minimum Front Yard Set Back | 25 |
| Side Yards Set Back | 7.5-7.5 | Minimum Rear Yard Set Back | 10 |
| | | Minimum Side Yard Set Back | 7½ |

| | | | |
|---|---|---|---|
| Floor Space | 1103 Sq. Feet | Central Sewer Name | Yes |
| Utility | Sq. Feet | Central Water Name | Yes |
| Porch | Sq. Feet | Well Permit No. | |
| Carport | Sq. Feet | Septic Tank | 750 Gallons |
| Other | 284 Sq. Feet | Drainfield | Min 140 Sq. Feet |
| A.C. Mech | Tons | Septic Tank No. | 78-365 |
| Total | 1387 Sq. Feet | Plumbing Stub | Max 18 inches below finish floor grade. |
| | | Sanitarian | Hoff |

| | | |
|---|---|---|
| Estimated Cost | $ | 23,000.00 |
| Building Permit | $ | 94.00 |
| Electrical Permit | $ | 25.00 |
| Plumbing Permit | $ | 13.00 |
| A.C./Mech Permit | $ | 16.60 |
| Roofing Permit | $ | 10.00 |
| Swim. Pool Permit | $ | |
| Septic Tank | $ | 15.00 |
| Total Permit | $ | 173.60 |

The above application has been examined and is hereby approved subject to the payment of $ 173.60 by check as provided by the Collier County Building Code.

Payment Received: Glenwood Morrison Building Official

This permit expires if work is not started within 6 months from date of issue. Permit void if zoning classification is violated. This use must not change to any other use without a new permit from the Zoning Director. Fee will be quadrupled plus daily penalty of $500.00 if work is started without a permit. The applicant further understands that the proposed use of structure shall not be used or occupied until an approved Certificate of Occupancy is issued.

Owner

Agent

Contractor

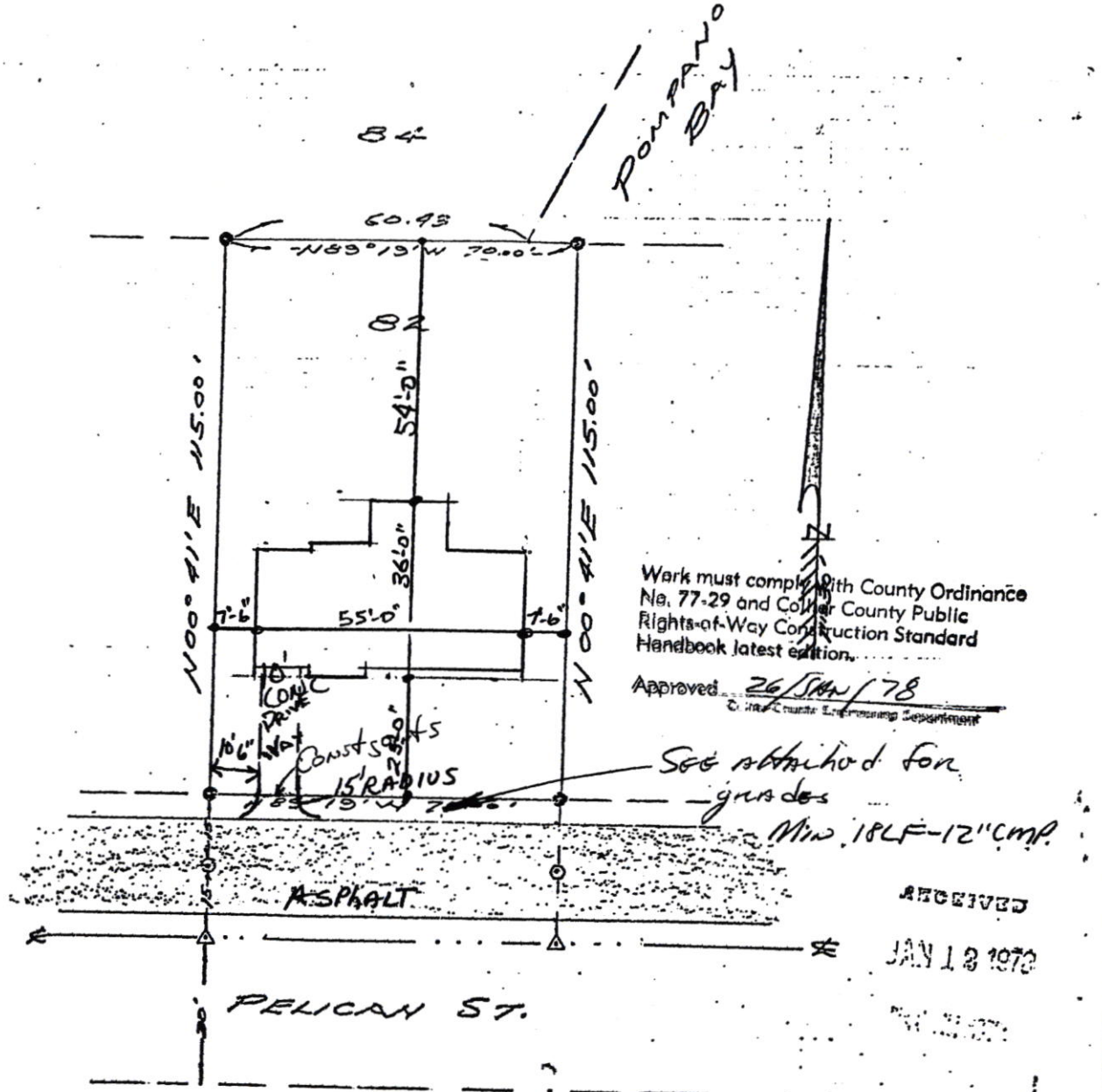
FORM RPI 1015

Attachment: Attachment E - Permit 78-365 (16028 : PL20200001291 VA 41 Pelican Street West Cox)

K&E 10 5545 11-77 MC7125e

Dickerson 78-365

# SURVEY




Lot 82
ISLES OF CAPRI #1
COLLIER CO. FLA.

KENNETH DICKERSON

1/13/78

I HEREBY CERTIFY that the survey of the realigned property shown hereon was made DESCRIPTION: Lot #2, Block of

Attachment: Attachment E - Permit 78-365 (16028 : PL20200001291 VA 41 Pelican Street West Cox)

FORM RPI 1017

C.O. 8/15/78

## INSPECTION RECORD CARD

PER. #: 78-365 DATE: 2-1-78

NAME: Kenneth Dickerson, Jr.

ADDRESS: 41 Pelican Street

LEGAL DESC.: Lot 82, Isles Capri

CONTRACTOR: Richmond

JOB DESC.: C.B.S. Residence $23,000.00

| | | | |
|---|---|---|---|
| FOOTINGS | | RGH. PLBG. | 3-15-78 |
| FL. SLAB | 3-15-78 | TUB-SET | 4-20-78 |
| COLUMNS | | F. PLBG. | 7-5-78 |
| TIE BEAMS | 3-22-78 | TEMP. ELEC. | 3-8-78 |
| R. FRAMING | 4-20-78 | R. ELEC. | 4-20-78 |
| FR. DRYIN | SHGL. | F. ELEC. | 6-21-78 |
| R. A/C | 4-21-78 FIN. 7-5-78 | POOL ELEC. | STL. |
| FINAL BLDG. | | SEWER | 7-6-78 |

VA-PL20200001291
41 PELICAN ST W

## HEARING PACKAGE CHECKLIST

### A. Backup provided by the County Planner

**The agent is responsible for all required data included in the digital file of information for the Hearing Examiner (Hex) or the Collier County Planning Commission (CCPC). DO NOT ACCEPT DUPLICATES OF ANY DOCUMENTS. MAKE SURE ONLY THE LATEST, ACCEPTED/APPROVED COPY OF THE BELOW DOCUMENTATION. PLEASE CONFIRM THE DOCUMENTS ARE IN THE ORDER DESCRIBED IN "BACKUP PROVIDED BY APPLICANT."**

**Planner responsible for providing the County Attorney-drafted Ordinance for PUDs and placing in backup materials. AGENTS DO NOT INCLUDE THE PUD DOCUMENT – STAFF PROVIDES THIS TO THE COUNTY ATTORNEY WHEN THE ORDINANCE IS DRAFTED FOR A PUD. THE FINAL PUD ORDINANCE/RESOLUTION IS THE FIRST ITEM AFTER THE STAFF REPORT. [FOR HEX, THE REQUESTED LANGUAGE/ PROPOSED PLAN IS THE FIRST ITEM AFTER THE STAFF REPORT]**

### B. Backup provided by Applicant:

**PLEASE PROVIDE THE DOCUMENTS IN THE ORDER DESCRIBED BELOW. DO NOT PROVIDE DUPLICATES OF ANY DOCUMENTS. PROVIDE ONLY THE LATEST, ACCEPTED/APPROVED COPY OF THE BELOW DOCUMENTATION. IF THE BACKUP PROVIDED BY APPLICANT IS IN DISARRAY-MEANING IT IS NOT IN THE PROPER ORDER AND/OR THE APPLICANT PROVIDES MULTIPLE DUPLICATES-THE APPLICANT COULD LOSE ITS HEARING DATE.**

- ✓ Application, to include but not limited to the following:
  - ✓ Narrative of request
  - ✓ Property Information
  - ✓ Property Ownership Disclosure Form
  - ✓ Any other documents required by the specific petition type; such as a variance, a boat dock extension; PUD amendment, rezone request, etc.
- ____ Disclosure of Property Ownership Interest (if there is additional documentation aside from disclosure form)
- ____ Affidavit of Unified Control
- ✓ Affidavit of Representation
- ✓ Drawings (may include Cross-Section (for BDEs generally), proposed Boat Dock(s) with Water depth, location maps etc.)
- ____ NIM Information (Sign in sheet, notes, minutes and transcript/or summary)
  - ✓ Include 3 thumbnail drives of video and/or audio
- ____ Traffic Impact Study (TIS)
- ____ Environmental Data
- ____ Historical/Archeological Survey or Waiver
- ____ Utility Letter
- ✓ Deviation Justifications

Attachment: Attachment F - Applicants Backup (16028 : PL20200001291 VA 41 Pelican Street West Cox)

✓ Boundary Survey

✓ Other documents, as needed, on a case-by-case basis such as relevant prior Ordinances, Conditional Uses, historical documents, any "private or legal" agreements affecting the PUD etc.

___ Submerged Resource Surveys may be included here if required.

→ **flash drive with *only one* pdf file for all documents** OR/ EMAIL.

✓ AGENT LETTER INFORMATION – LIST, LETTER, AFFIDAVIT of COMPLIANCE

I understand that by submitting the above materials, it is the agent's/applicant's responsibility to ensure all materials are in the same order for flash drive must contain the documents in one pdf file. It is the agent's responsibility to ensure no documentation is left out.

Brian Cox
Signature of Agent Representative

05/10/2021
Date

Brian Cox
Printed Name of Signing Agent Representative

Attachment: Attachment F - Applicants Backup (16028 : PL20200001291 VA 41 Pelican Street West Cox)

# Nature of Petition

Request for after-the-fact variance from Section 4.02.01.A., Table 2.1. of Collier County Land Development Code to reduce front yard setback from 25 feet to 21.69 feet. The property is described as Lot 82, Isles of Capri, 41 Pelican Street West, Naples FL. 34113

Portico was built in March 2017 in conjunction with replacement of roof due to hurricane Irma to save cutting back into roof at later date. Hired licensed Fl. contractor to build portico from plans drawn by architect. Portico was not permitted and built so roofing project could continue.

A 3' encroachment of columns into the 25' setback allowed by Collier County was discovered after submitting for building permit 1 month later. It ,was brought to my attention by Lisa Blacklidge from zoning review. I had a architect draw up a alternative to comply with zoning and was approved by zoning department for permit. I opted for a variance instead of the alternative method as it would not look aesthetically pleasing to myself or neighborhood and cause financial hardship due to demolition costs and reconstructing with alternative or original design.

Inspections for portico included in permit and have been signed off.

Roof permit # PRBD2018020679801
Building permit # PRBD2018042330901
Contractor-Florida Home Improvements (Greg Gleason)
license # CBC1251225
Architect Alan D. Esparaza license # AR92992

Attachment: Attachment F - Applicants Backup (16028 : PL20200001291 VA 41 Pelican Street West Cox)

Collier County

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

## PROPERTY INFORMATION

**Provide a detailed legal description of the property covered by the application: (If space is inadequate, attach on separate page)**

**Property I.D. Number:** 52343080007 **Section/Township/Range:** 31/51/26

**Subdivision:** Isle of Capri **Unit:** ____ **Lot:** 82 **Block:** ____

**Metes & Bounds Description:** _____ **Total Acreage:** 70' X 115'

**Address/ General Location of Subject Property:** 41 Pelican St. West Naples, FL 34113

## ADJACENT ZONING AND LAND USE

| | Zoning | Land Use |
|---|---|---|
| N | RSF-4 | Residential Single Family |
| S | RMF-16 | Residential Multiple Family |
| E | RSF-4 | Residential Single Family |
| W | RSF-4 | Residential Single Family |

**Minimum Yard Requirements for Subject Property:**

**Front:** X **Corner Lot:** Yes ☐ No ☒

**Side:** ____ **Waterfront Lot:** Yes ☐ No ☒

**Rear:** ____

**Chapter 8 of the Administrative Code requires that the applicant must remove their public hearing advertising sign(s) after final action is taken by the Board of County Commissioners. Based on the Board's final action on this item, please remove all public hearing advertising sign(s) immediately.**

Attachment: Attachment F - Applicants Backup (16028 : PL20200001291 VA 41 Pelican Street West Cox)

Collier County

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

# PROPERTY OWNERSHIP DISCLOSURE FORM

**This is a required form with all land use petitions, except for Appeals and Zoning Verification Letters.**

Should any changes of ownership or changes in contracts for purchase occur subsequent to the date of application, but prior to the date of the final public hearing, it is the responsibility of the applicant, or agent on his behalf, to submit a supplemental disclosure of interest form.

**Please complete the following, use additional sheets if necessary.**

a. If the property is owned fee simple by an INDIVIDUAL, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest:

| Name and Address | % of Ownership |
|---|---|
| Brian J. Cox | 100% |
| 41 Pelican St. West Naples FL. 34113 | |
| | |
| | |
| | |

b. If the property is owned by a CORPORATION, list the officers and stockholders and the percentage of stock owned by each:

| Name and Address | % of Ownership |
|---|---|
| N/A | |
| | |
| | |
| | |
| | |

c. If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with the percentage of interest:

| Name and Address | % of Ownership |
|---|---|
| N/A | |
| | |
| | |
| | |
| | |



Attachment: Attachment F - Applicants Backup (16028 : PL20200001291 VA 41 Pelican Street West Cox)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

d. If the property is in the name of a GENERAL or LIMITED PARTNERSHIP, list the name of the general and/or limited partners:

| Name and Address | % of Ownership |
|---|---|
| | |
| N/A | |
| | |
| | |

e. If there is a CONTRACT FOR PURCHASE, with an individual or individuals, a Corporation, Trustee, or a Partnership, list the names of the contract purchasers below, including the officers, stockholders, beneficiaries, or partners:

| Name and Address | % of Ownership |
|---|---|
| | |
| N/A | |
| | |
| | |
| | |

**Date of Contract:** _____

f. If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust:

| Name and Address |
|---|
| |
| N/A |
| |
| |
| |

g. Date subject property acquired 10/16/2016

☐ **Leased: Term of lease** _____ **years /months**

If, Petitioner has option to buy, indicate the following:



Attachment: Attachment F - Applicants Backup (16028 : PL20200001291 VA 41 Pelican Street West Cox)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

**Date of option:** _____

**Date option terminates:** _____, or

**Anticipated closing date:** _____

## AFFIRM PROPERTY OWNERSHIP INFORMATION

**Any petition required to have Property Ownership Disclosure, will not be accepted without this form. Requirements for petition types are located on the associated application form. Any change in ownership whether individually or with a Trustee, Company or other interest-holding party, must be disclosed to Collier County immediately if such change occurs prior to the petition's final public hearing.**

As the authorized agent/applicant for this petition, I attest that all of the information indicated on this checklist is included in this submittal package. I understand that failure to include all necessary submittal information may result in the delay of processing this petition.

The completed application, all required submittal materials, and fees shall be submitted to:

Growth Management Department
ATTN: Business Center
2800 North Horseshoe Drive
Naples, FL 34104

Brian Cox
Agent/Owner Signature

8/27/2020
Date

Brian Cox
Agent/Owner Name (please print)



Attachment: Attachment F - Applicants Backup (16028 : PL20200001291 VA 41 Pelican Street West Cox)

Request for Variance
41 West Pelican Street, Naples FL 34113
Owner: Brian Cox

Dear Neighbor,
I am writing to let you know I am requesting a variance for the Portico I had built over the front door. I hired an architect and a licensed contractor to complete the work. It has come to my attention that the portico exceeded 3 feet of the 25 foot setback. The portico has passed all inspections required, but needs a variance. The purpose of this letter is to ask you if you would have any objections to the Portico located at 41 West Pelican Street as it is today.
Please let me know by indicating below. I appreciate your taking the time to fill this in and return to me at your earliest convenience.

☒ I have **no objection**

☐ **I object**

Neighbor Signature Mark P. Schmidt

Print Name MARK P. SCHMIDT

Address: 60 WEST PELICAN ST #301

Date: 9-13-2020

I SEE THE PORTICO FROM MY POWDER ROOM WINDOW EVERY DAY. IT IS A MUCH NEEDED IMPROVEMENT.

MARC

Attachment: Attachment F - Applicants Backup (16028 : PL20200001291 VA 41 Pelican Street West Cox)

Request for Variance
41 West Pelican Street, Naples FL 34113
Owner: Brian Cox

Dear Neighbor,
I am writing to let you know I am requesting a variance for the Portico I had built over the front door. I hired an architect and a licensed contractor to complete the work. It has come to my attention that the portico exceeded 3 feet of the 25 foot setback. The portico has passed all inspections required, but needs a variance. The purpose of this letter is to ask you if you would have any objections to the Portico located at 41 West Pelican Street as it is today.
Please let me know by indicating below. I appreciate your taking the time to fill this in and return to me at your earliest convenience.

☒ I have **no objection**

☐ **I object**

Neighbor Signature Thomas Davie

Print Name THOMAS DAVIE

Address: 60 W PELICAN ST 401 NAPLES FL 34113

Date: 9/23/20

Attachment: Attachment F - Applicants Backup (16028 : PL20200001291 VA 41 Pelican Street West Cox)

Request for Variance
41 West Pelican Street, Naples FL 34113
Owner: Brian Cox

Dear Neighbor,
I am writing to let you know I am requesting a variance for the Portico I had built over the front door. I hired an architect and a licensed contractor to complete the work. It has come to my attention that the portico exceeded 3 feet of the 25 foot setback. The portico has passed all inspections required, but needs a variance. The purpose of this letter is to ask you if you would have any objections to the Portico located at 41 West Pelican Street as it is today.
Please let me know by indicating below. I appreciate your taking the time to fill this in and return to me at your earliest convenience.

☒ I have **no objection**
☐ **I object**

Neighbor Signature Jane Minishi

Print Name Jane Minishi

Address: 600 W Pelican St - Unit 502 Naples, FL. 34113

Date: 9-23-20

Attachment: Attachment F - Applicants Backup (16028 : PL20200001291 VA 41 Pelican Street West Cox)

Request for Variance
41 West Pelican Street, Naples FL 34113
Owner: Brian Cox

Dear Neighbor,
I am writing to let you know I am requesting a variance for the Portico I had built over the front door. I hired an architect and a licensed contractor to complete the work. It has come to my attention that the portico exceeded 3 feet of the 25 foot setback. The portico has passed all inspections required, but needs a variance. The purpose of this letter is to ask you if you would have any objections to the Portico located at 41 West Pelican Street as it is today.
Please let me know by indicating below. I appreciate your taking the time to fill this in and return to me at your earliest convenience.

☒ I have **no objection**

☐ **I object**

Neighbor Signature _____

Print Name Matthew C. Hood

Address: 60 W Pelican #505 Naples FL 34113

Date: Sept 25, 2020

Attachment: Attachment F - Applicants Backup (16028 : PL20200001291 VA 41 Pelican Street West Cox)

Request for Variance
41 West Pelican Street, Naples FL 34113
Owner: Brian Cox

Dear Neighbor,
I am writing to let you know I am requesting a variance for the Portico I had built over the front door. I hired an architect and a licensed contractor to complete the work. It has come to my attention that the portico exceeded 3 feet of the 25 foot setback. The portico has passed all inspections required, but needs a variance. The purpose of this letter is to ask you if you would have any objections to the Portico located at 41 West Pelican Street as it is today.
Please let me know by indicating below. I appreciate your taking the time to fill this in and return to me at your earliest convenience.

☐ ~~I have~~ **no objection**

☐ **I object**

Neighbor Signature Lena Michaels

Print Name Lena Michaels

Address: 93 Dolphin Ct #A

Date: Sept 4 2020

Attachment: Attachment F - Applicants Backup (16028 : PL20200001291 VA 41 Pelican Street West Cox)

Request for Variance
41 West Pelican Street, Naples FL 34113
Owner: Brian Cox

Dear Neighbor,
I am writing to let you know I am requesting a variance for the Portico I had built over the front door. I hired an architect and a licensed contractor to complete the work. It has come to my attention that the portico exceeded 3 feet of the 25 foot setback. The portico has passed all inspections required, but needs a variance. The purpose of this letter is to ask you if you would have any objections to the Portico located at 41 West Pelican Street as it is today.
Please let me know by indicating below. I appreciate your taking the time to fill this in and return to me at your earliest convenience.

☑ I have **no objection**
☐ **I object**

Neighbor Signature Ciro Galeno

Print Name Ciro Galeno

Address: 93 Dolphin Cr.

Date: 9-6-20.

I'm very impressed on the improvements this family has worked so hard doing. Nice Job!!!

Attachment: Attachment F - Applicants Backup (16028 : PL20200001291 VA 41 Pelican Street West Cox)

Request for Variance
41 West Pelican Street, Naples FL 34113
Owner: Brian Cox

Dear Neighbor,
I am writing to let you know I am requesting a variance for the Portico I had built over the front door. I hired an architect and a licensed contractor to complete the work. It has come to my attention that the portico exceeded 3 feet of the 25 foot setback. The portico has passed all inspections required, but needs a variance. The purpose of this letter is to ask you if you would have any objections to the Portico located at 41 West Pelican Street as it is today.
Please let me know by indicating below. I appreciate your taking the time to fill this in and return to me at your earliest convenience.

☑ I have **no objection**

☐ **I object**

Neighbor Signature _____

Print Name James Hughes

Address: 94 Dolphin Cir

Date: Aug 2, 2020

Attachment: Attachment F - Applicants Backup (16028 : PL20200001291 VA 41 Pelican Street West Cox)

**Request for Variance**
**41 West Pelican Street, Naples FL 34113**
**Owner: Brian Cox**

Dear Neighbor,
I am writing to let you know I am requesting a variance for the Portico I had built over the front door. I hired an architect and a licensed contractor to complete the work. It has come to my attention that the portico exceeded 3 feet of the 25 foot setback. The portico has passed all inspections required, but needs a variance. The purpose of this letter is to ask you if you would have any objections to the Portico located at 41 West Pelican Street as it is today.
Please let me know by indicating below. I appreciate your taking the time to fill this in and return to me at your earliest convenience.

☒ I have **no objection**
☐ **I object**

Neighbor Signature Mary Beth Schneller

Print Name Mary Beth Schneller

Address: 39 W. Pelican ST Naples FL 34113

Date: Aug 30 2020

Attachment: Attachment F - Applicants Backup (16028 : PL20200001291 VA 41 Pelican Street West Cox)

# AFFIDAVIT OF AUTHORIZATION

**FOR PETITION NUMBERS(S)** PL 20200001291

I, Brian Cox (print name), as owner (title, if applicable) of _____ (company, If applicable), swear or affirm under oath, that I am the (choose one) owner [X] applicant [ ] contract purchaser [ ] and that:

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the County in accordance with this application and the Land Development Code;
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I have authorized the staff of Collier County to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made through this application; and that
4. The property will be transferred, conveyed, sold or subdivided subject to the conditions and restrictions imposed by the approved action.
5. We/I authorize myself to act as our/my representative in any matters regarding this petition including 1 through 2 above.

*Notes:*

- *If the applicant is a corporation, then it is usually executed by the corp. pres. or v. pres.*
- *If the applicant is a Limited Liability Company (L.L.C.) or Limited Company (L.C.), then the documents should typically be signed by the Company's "Managing Member."*
- *If the applicant is a partnership, then typically a partner can sign on behalf of the partnership.*
- *If the applicant is a limited partnership, then the general partner must sign and be identified as the "general partner" of the named partnership.*
- *If the applicant is a trust, then they must include the trustee's name and the words "as trustee".*
- *In each instance, first determine the applicant's status, e.g., individual, corporate, trust, partnership, and then use the appropriate format for that ownership.*

**Under penalties of perjury, I declare that I have read the foregoing Affidavit of Authorization and that the facts stated in it are true.**

X _____
**Signature**

10/21/2020
**Date**

**STATE OF FLORIDA**
**COUNTY OF COLLIER**

The foregoing instrument was acknowleged before me by means of [X] physical presence or [ ] online notarization this 21 day of October, 20 20 by (printed name of owner or qualifier) Brian Cox.

Such person(s) Notary Public must check applicable box:

[ ] Are personally known to me

[X] Has produced a current drivers license FL. D.L.

[ ] Has produced _____ as identification.

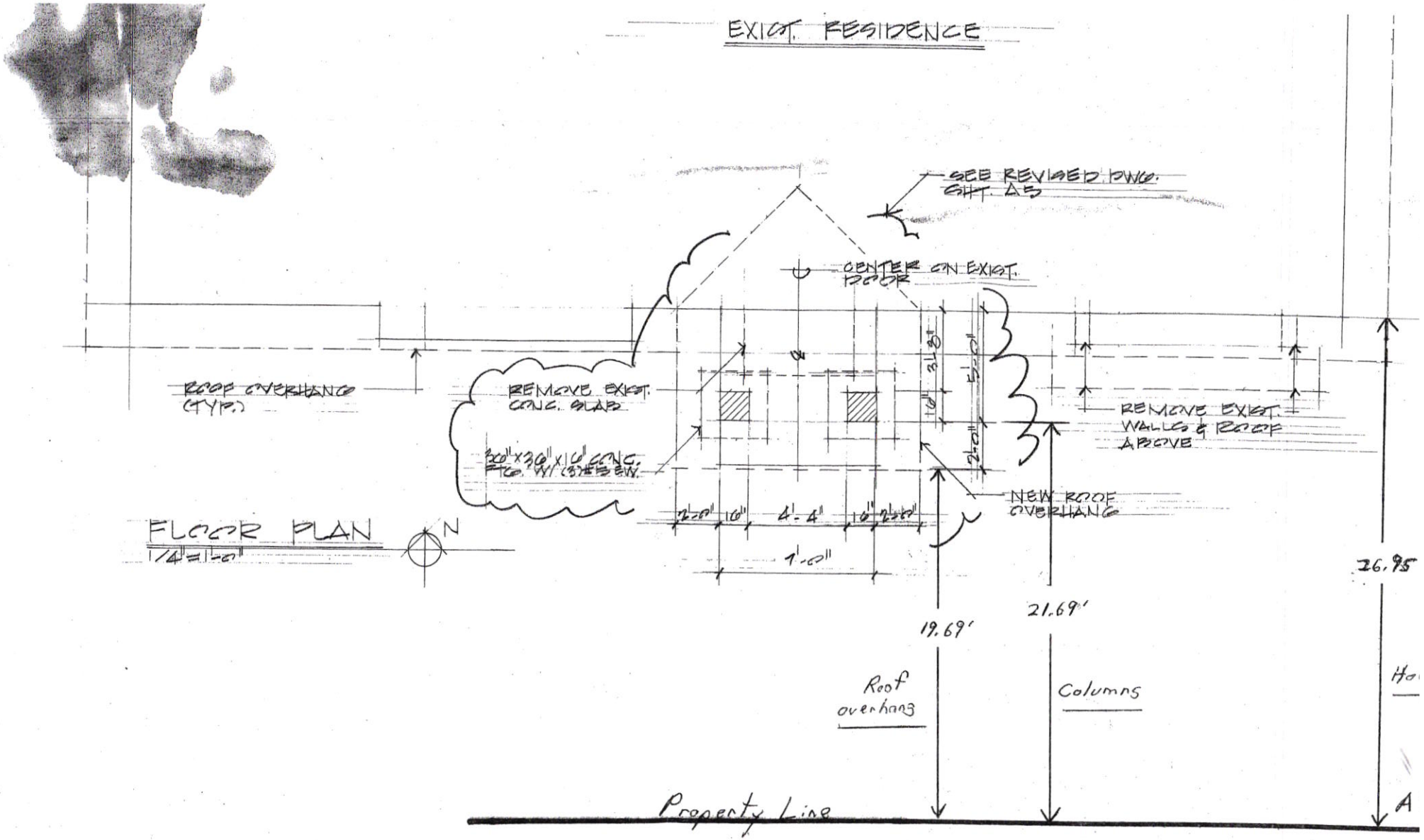
Notary Signature: _____

Notary Seal

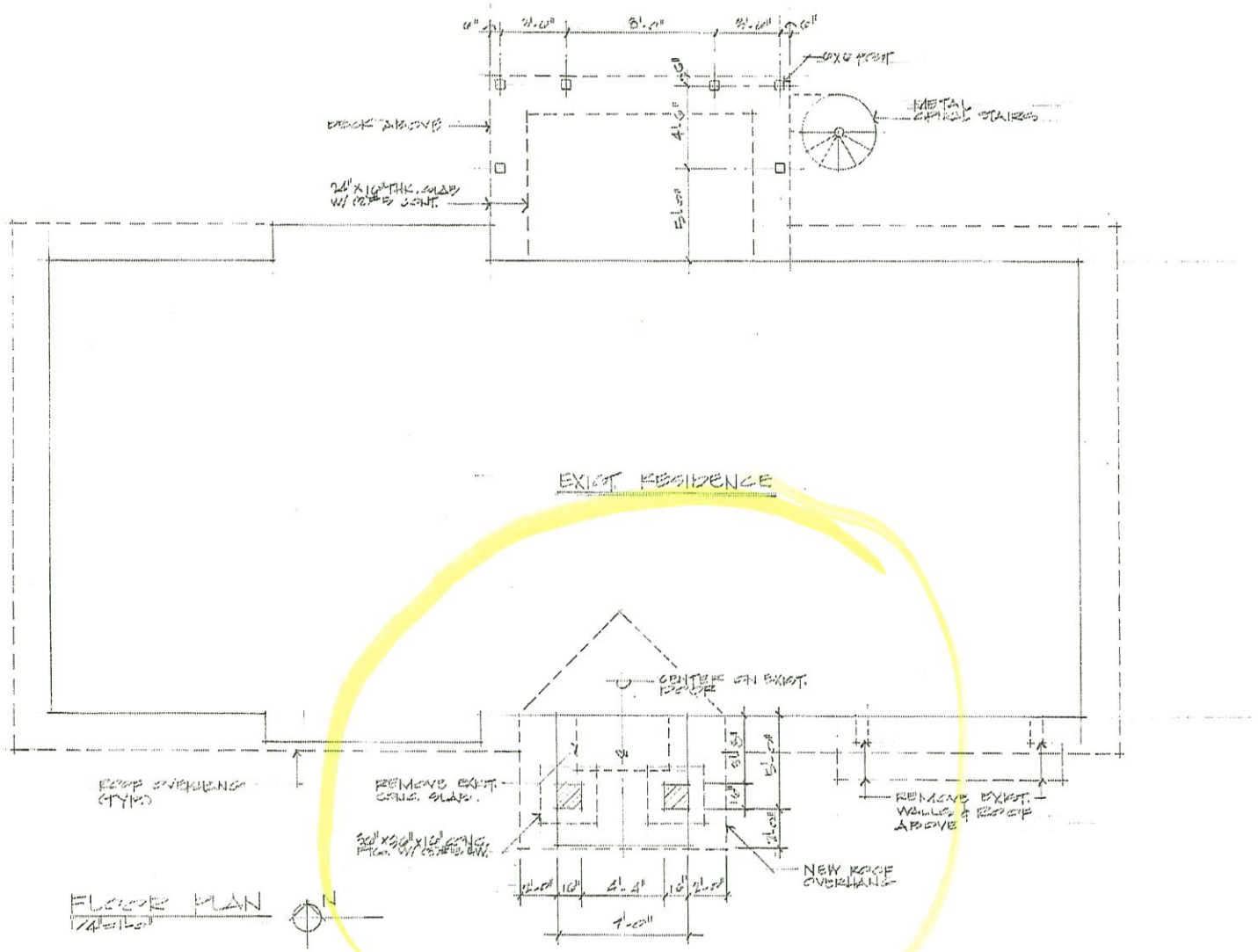
BEAU CHRISTOPHER MIDDLEBROOK
State of Florida-Notary Public
Commission # GG 219159
My Commission Expires
September 10, 2022

CP\08-COA-00115\155
REV 3/4/2020

Attachment: Attachment F - Applicants Backup (16028 : PL20200001291 VA 41 Pelican Street West Cox)




Attachment: Attachment F - Applicants Backup (16028 : PL20200001291 VA 41 Pelican Street West Cox)




Alan D. Esparza, Architect
P.O Box 110493
Naples, FL 34108
Florida License No. AR92992
239-322-9852 swflarch@gmail.com

Cox Residence
41 Pelican West
Naples, FL 34113

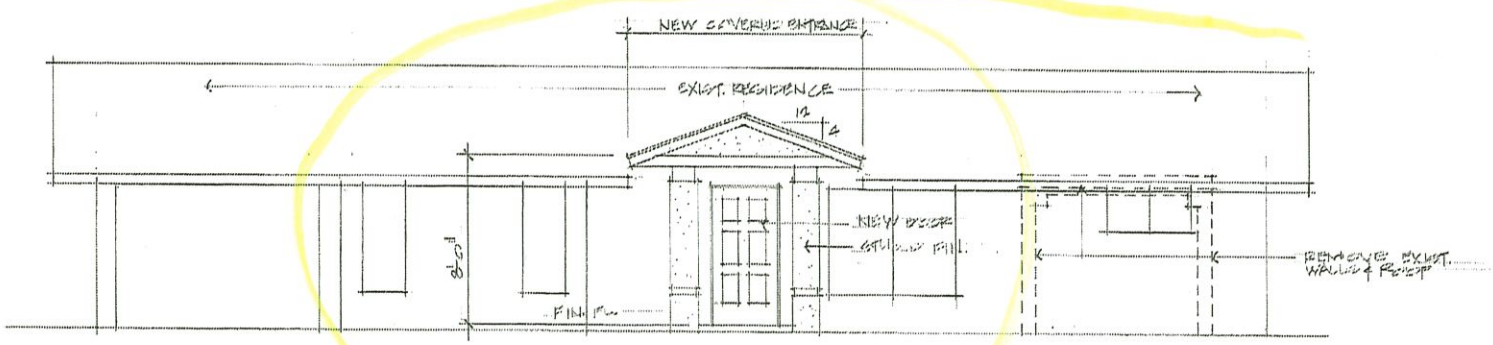
Alan D. Esparza
AR92992

Issue For Permit
Issue Date
Drawn By ADE
Checked By ADE

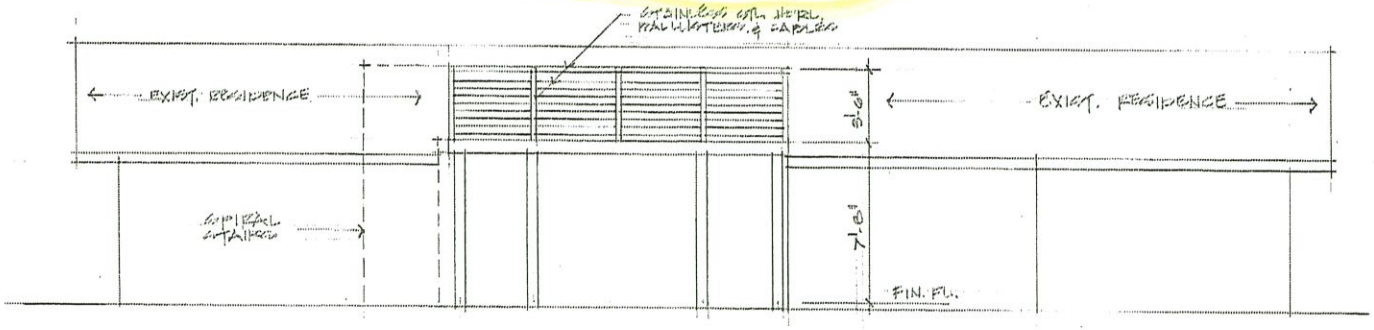
A2
Sheet Name

Project Number

Attachment: Attachment F - Applicants Backup (16028 : PL20200001291 VA 41 Pelican Street West Cox)




SOUTH ELEVATION




NORTH ELEVATION

Alan D. Esparza, Architect
PO Box 110493
Naples, FL 34108
Florida License No. AR93992

Cox Residence
41 Pelican West
Naples, FL 34113

Alan D. Esparza

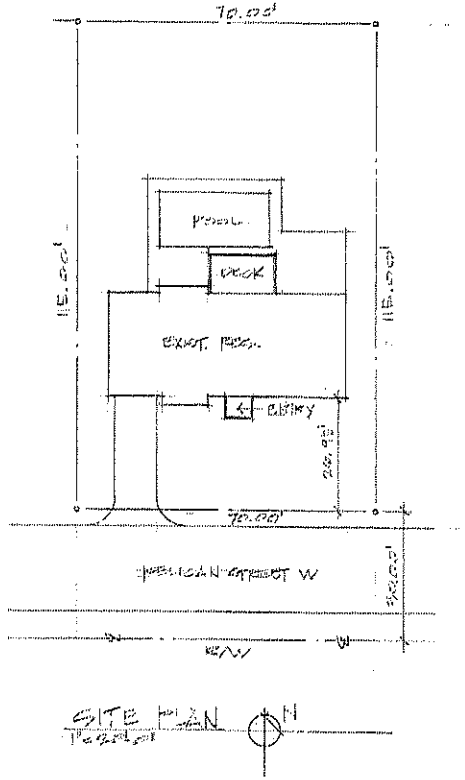
| | |
|---|---|
| Issue For Permit | |
| Issue Date | |
| Drawn By | ADE |
| Checked By | ADE |

A3

Sheet Name

Project Number

Attachment: Attachment F - Applicants Backup (16028 : PL20200001291 VA 41 Pelican Street West Cox)




SITE PLAN

Wind Speed 169 mph (Vult) 131 mph (Vasd)
Risk Cat II
Exposure D
Enclosed
End Zones and Corners are 3-feet in width
Component and Cladding Pressures (TA < 10 sf)

**Roof**

| | |
|---|---|
| Area | 10 sf |
| Negative Zone 1 | -41.6 |
| Negative Zone 2 | -72.2 |
| Negative Zone 3 | -100.8 |
| Positive All Zones | 26.1 |
| Overhang Zone 2 | -64.5 |
| Overhang Zone 3 | -142.1 |

**Walls**

| | |
|---|---|
| Area | 10 sf |
| Negative Zone 4 | -49.2 |
| Negative Zone 5 | -60.7 |
| Positive Zone 4 & 5 | 45.3 |

Alan D. Esparza, Architect
P.O Box 110493
Naples, FL 34108
Florida License No. AR92592

Cox Residence
41 Pelican West
Naples, FL 34113

Alan D. Esparza

Issue For Permit
Issue Date
Drawn By ADE
Checked By ADE

A1
Sheet Name

Project Number

Attachment: Attachment F - Applicants Backup (16028 : PL20200001291 VA 41 Pelican Street West Cox)

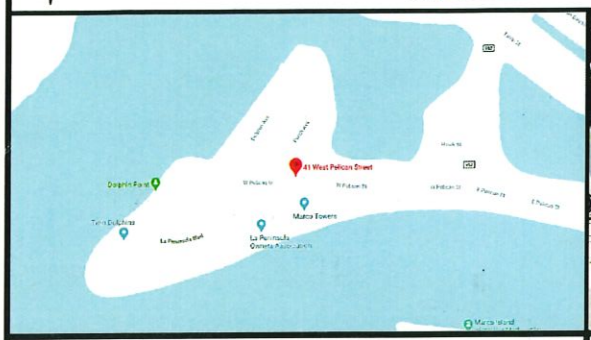
# JOHN IBARRA & ASSOCIATES, INC.

**Professional Land Surveyors & Mappers**

WWW.IBARRALANDSURVEYORS.COM

777 N.W. 72ND AVENUE
SUITE 3025
MIAMI, FL 33126
PH: (305) 262-0400
FAX: (305) 262.0401

4040 DEL PRADO BLVD S
SUITE 823
CAPE CORAL, FL 33904
PH: (239) 540-2660
FAX: (239) 540-2644




## LOCATION SKETCH

SCALE = N.T.S.

## VIEW OF SUBJECT PROPERTY

41 PELICAN STREET W, NAPLES, FLORIDA 34113

## ABBREVIATIONS

| | |
|---|---|
| A | = ARC. |
| A/C | = AIR CONDITIONER PAD |
| A.E. | = ANCHOR EASEMENT |
| A.R. | = ALUMINUM ROOF |
| A.S. | = ALUMINUM SHED |
| ASPH. | = ASPHALT |
| B.C. | = BLOCK CORNER |
| BLDG. | = BUILDING |
| B.M. | = BENCH MARK |
| B.C.R. | = BROWARD COUNTY RECORDS |
| B.O.B. | = BASIS OF BEARING |
| B.S.L. | = BUILDING SETBACK LINE |
| (C) | = CALCULATED |
| C.B. | = CATCH BASIN |
| C.B.S. | = CONCRETE BLOCK STRUCTURE |
| C.B.W. | = CONCRETE BLOCK WALL |
| CH. | = CHORD |
| CH.B. | = CHORD BEARING |
| CH.L. | = CHORD LENGTH |
| CL. | = CLEAR |
| C.O. | = CLEAN OUT |
| C.L.F. | = CHAIN LINK FENCE |
| C.M.E | = CANAL MAINTENANCE EASEMENT |
| CONC. | = CONCRETE |
| C.U.P. | = CONCRETE UTILITY POLE |
| C.P. | = CONCRETE PORCH |
| C.S. | = CONCRETE SLAB |
| C.W. | = CONCRETE WALK |
| D.E. | = DRAINAGE EASEMENT |
| D.M.E. | = DRAINAGE MAINTENANCE EASEMENT |
| DRIVE | = DRIVEWAY |
| ° | = DEGREES |
| EB | = ELECTRIC BOX |
| E.T.P. | = ELECTRIC TRANSFORMER PAD |
| ELEV. | = ELEVATION |
| ENCR. | = ENCROACHMENT |
| F.H. | = FIRE HYDRANT |
| F.I.P. | = FOUND IRON PIPE |
| F.I.R. | = FOUND IRON ROD |
| F.F.E. | = FINISHED FLOOR ELEVATION |
| F.N.D. | = FOUND NAIL & DISK |
| FT. | = FEET |
| FNIP. | = FEDERAL NATIONAL INSURANCE PROGRAM |
| F.N. | = FOUND NAIL |
| H. | = HIGH OR (HEIGHT) |
| IN.&EG. | = INGRESS AND EGRESS EASEMENT |
| I.C.V. | = IRRIGATION CONTROL VALVE |
| I.F. | = IRON FENCE |
| L.B. | = LICENSED BUSINESS |
| L.P | = LIGHT POLE |
| L.F.E. | = LOWEST FLOOR ELEVATION |
| L.M.E. | = LAKE MAINTENANCE EASEMENT |
| ' | = MINUTES |
| (M) | = MEASURED DISTANCE |
| M.B. | = MAIL BOX |
| M.D.C.R. | = MIAMI DADE COUNTY RECORDS |
| M.E. | = MAINTENANCE EASEMENT |
| M.H. | = MANHOLE |
| N.A.P. | = NOT A PART OF |
| NGVD | = NATIONAL GEODETIC VERTICAL DATUM |
| N.T.S. | = NOT TO SCALE |
| # OR NO. | = NUMBER |
| O/S | = OFFSET |
| O.H. | = OVERHEAD |
| O.H.L. | = OVERHEAD UTILITY LINES |
| O.R.B. | = OFFICIAL RECORDS BOOK |
| O.V.H. | = OVERHANG |
| PVMT. | = PAVEMENT |
| PL. | = PLANTER |
| P.L. | = PROPERTY LINE |
| P.C.C. | = POINT OF COMPOUND CURVATURE |
| P.C. | = POINT OF CURVATURE |
| P.O.T. | = POINT OF TANGENCY |
| P.O.C. | = POINT OF COMMENCEMENT |
| P.O.B. | = POINT OF BEGINNING |
| P.R.C. | = POINT OF REVERSE CURVATURE |
| PWY | = PARKWAY |
| P.R.M. | = PERMANENT REFERENCE MONUMENT |
| P.L.S. | = PROFESSIONAL LAND SURVEYOR |
| P.P. | = POWER POLE |
| P.P.S. | = POOL PUMP SLAB |
| P.U.E. | = PUBLIC UTILITY EASEMENT |
| (R) | = RECORD DISTANCE |
| R.R. | = RAIL ROAD |
| RES. | = RESIDENCE |
| R/W | = RIGHT-OF-WAY |
| RAD. | = RADIUS OR RADIAL |
| RGE. | = RANGE |
| R.O.E. | = ROOF OVERHANG EASEMENT |
| SEC. | = SECTION |
| STY. | = STORY |
| SWK. | = SIDEWALK |
| S.I.P. | = SET IRON PIPE |
| S | = SOUTH |
| S.P. | = SCREENED PORCH |
| S.V. | = SEWER VALVE |
| " | = SECONDS |
| T | = TANGENT |
| TB | = TELEPHONE BOOTH |
| T.B.M. | = TEMPORARY BENCHMARK |
| T.U.E. | = TECHNOLOGY UTILITY EASEMENT |
| TSB | = TRAFFIC SIGNAL BOX |
| T.S.P. | = TRAFFIC SIGNAL POLE |
| TWP | = TOWNSHIP |
| UTIL. | = UTILITY |
| U.E. | = UTILITY EASEMENT |
| U.P. | = UTILITY POLE |
| W.M. | = WATER METER |
| W.F. | = WOOD FENCE |
| W.P. | = WOOD PORCH |
| W.R. | = WOOD ROOF |
| W.V. | = WATER VALVE |
| ℳ | = MONUMENT LINE |
| ℄ | = CENTER LINE |
| △ | = DELTA |

## LEGEND

- = OVERHEAD UTILITY LINES
- = CONCRETE BLOCK WALL
- = CHAIN LINK FENCE
- = IRON FENCE
- = WOOD FENCE
- = BUILDING SETBACK LINE
- = UTILITY EASEMENT
- = LIMITED ACCESS R/W
- = NON-VEHICULAR ACCESS R/W
- × 0.00 = EXISTING ELEVATIONS

## LEGAL NOTES TO ACCOMPANY SKETCH OF SURVEY :

- THERE MAY BE EASEMENTS RECORDED IN THE PUBLIC RECORDS NOT SHOWN ON THIS SURVEY.
- THE PURPOSE OF THIS SURVEY IS FOR USE IN OBTAINING TITLE INSURANCE AND FINANCING AND SHOULD NOT BE USED FOR CONSTRUCTION PURPOSES.
- EXAMINATIONS OF THE ABSTRACT OF TITLE WILL HAVE TO BE MADE TO DETERMINE RECORDED INSTRUMENTS, IF ANY, AFFECTING THE PROPERTY.
- THIS SURVEY IS SUBJECT TO DEDICATIONS, LIMITATIONS, RESTRICTIONS, RESERVATIONS OR EASEMENTS OF RECORD.
- LEGAL DESCRIPTIONS PROVIDED BY CLIENT OR ATTESTING TITLE COMPANY.
- BOUNDARY SURVEY MEANS A DRAWING AND/ OR A GRAPHIC REPRESENTATION OF THE SURVEY WORK PERFORMED IN THE FIELD, COULD BE DRAWN AT A SHOWN SCALE AND/OR NOT TO SCALE; THE WALLS OR FENCES MAY BE EXAGGERATED FOR CLARITY PURPOSES.
- EASEMENTS AS SHOWN ARE PER PLAT BOOK, UNLESS DEPICTED OTHERWISE.
- THE TERM "ENCROACHMENT" MEANS VISIBLE AND ABOVE GROUND ENCROACHMENTS.
- ARCHITECTS SHALL VERIFY ZONING REGULATIONS, RESTRICTIONS, SETBACKS AND WILL BE RESPONSIBLE FOR SUBMITTING PLOT PLANS WITH CORRECT INFORMATION FOR "APPROVAL FOR AUTHORIZATION" TO THE PROPER AUTHORITIES IN NEW CONSTRUCTION.
- UNLESS OTHERWISE NOTED, THIS FIRM HAS NOT ATTEMPTED TO LOCATE FOOTING AND/OR FOUNDATIONS.
- FENCE OWNERSHIP NOT DETERMINED.
- THIS PLAN OF SURVEY, HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE ENTITIES NAMED HEREON, THE CERTIFICATE DOES NOT EXTEND TO ANY UNNAMED PARTY.

## FLOOD ZONE INFORMATION:

BY PERFORMING A SEARCH WITH THE LOCAL GOVERNING MUNICIPALITY OR WWW.FEMA.GOV, THE PROPERTY APPEARS TO BE LOCATED IN ZONE AE (WITH A BASE FLOOD ELEVATION OF 8.00 FT). THIS PROPERTY WAS FOUND IN COLLIER COUNTY, COMMUNITY NUMBER 120067, DATED 05/16/12.

## SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY: THIS "BOUNDARY SURVEY" OF THE PROPERTY DESCRIBED HEREON, HAS RECENTLY BEEN SURVEYED AND DRAWN UNDER MY SUPERVISION, AND COMPLIES WITH THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE PURSUANT TO 472.027, FLORIDA STATUTES.

BY: _____ 08/20/2020
JOHN IBARRA (DATE OF FIELD WORK)

PROFESSIONAL LAND SURVEYOR NO.: 5204 STATE OF FLORIDA
(NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER).

REVISED ON: _____

REVISED ON: _____

| | |
|---|---|
| DRAWN BY: | J.G. |
| FIELD DATE: | 8/20/2020 |
| SURVEY NO: | 16-004296-2 |
| SHEET: | 1 OF 2 |

## SURVEYOR' S NOTES:

1. IF SHOWN, BEARINGS ARE REFERRED TO AN ASSUMED MERIDIAN, BY SAID PLAT IN THE DESCRIPTION OF THE PROPERTY, IF NOT, BEARINGS ARE THEN REFERRED TO COUNTY, TOWNSHIP MAPS.
2. THE CLOSURE IN THE BOUNDARY SURVEY IS ABOVE 1:7500 FT.
3. CERTIFICATE OF AUTHORIZATION LB # 7806.

JOHN IBARRA CERTIFICATE NO. 5204 STATE OF FLORIDA PROFESSIONAL LAND SURVEYOR

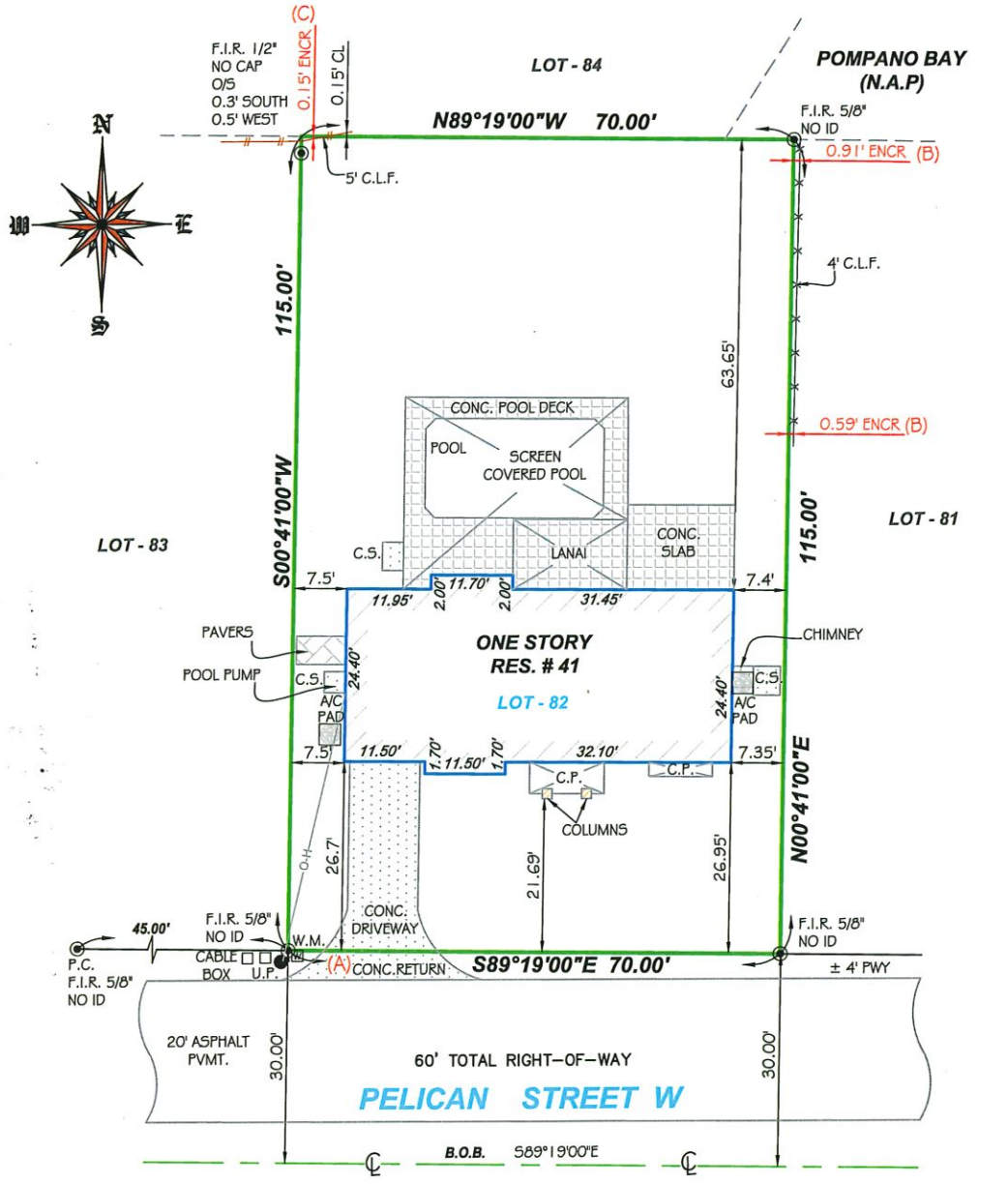
LB#7806

Attachment: Attachment F - Applicants Backup (16028 : PL20200001291 VA 41 Pelican Street West Cox)

JOHN IBARRA & ASSOCIATES, INC.
Professional Land Surveyors & Mappers
WWW.IBARRALANDSURVEYORS.COM
777 N.W. 72nd AVENUE
SUITE 3025
MIAMI, FL 33126
PH: (305) 262-0400
FAX: (305) 262.0401
3725 DEL PRADO BLVD. S.
SUITE B
CAPE CORAL, FL 33904
PH: (239) 540-2660
FAX: (239) 540-2664

# MAP OF BOUNDARY SURVEY

41 PELICAN STREET W, NAPLES, FLORIDA 34113
(REV.1 8/26/2020) (REV.1 8/25/2020)




## ENCROACHMENT NOTES:

A. SOUTH SIDE OF THE SUBJECT PROPERTY, CONCRETE RETURN IS ENCROACHING INTO THE RIGHT OF WAY OF PELICAN STREET W.
B. EAST SIDE OF THE SUBJECT PROPERTY, CHAIN LINK FENCE IS ENCROACHING INTO THE NEIGHBOR'S PROPERTY.
C. NORTH SIDE OF THE SUBJECT PROPERTY, NEIGHBORS CHAIN LINK FENCE IS ENCROACHING INTO THE SUBJECT PROPERTY.

**GRAPHIC SCALE**
-20 0 10 20
(IN FEET)
1 INCH = 20 FEET

JOHN IBARRA CERTIFICATE NO. 5204 STATE OF FLORIDA PROFESSIONAL LAND SURVEYOR
LB#7806

**LEGAL DESCRIPTION:**
LOT 82, ISLES OF CAPRI NO. 1, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, PAGE 41, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

**CERTIFICATION:**
BRIAN J. COX

| | |
|---|---|
| DRAWN BY: | J.G. |
| FIELD DATE: | 8/20/2020 |
| SURVEY NO: | 16-004296-2 |
| SHEET: | 2 OF 2 |

Attachment: Attachment F - Applicants Backup (16028 : PL20200001291 VA 41 Pelican Street West Cox)

Feb. 26, 2021

Dear Property Owner:

Please be advised that the sender has made a formal application to Collier County for a variance from the requirements of the zoning regulations as they apply to the following described property:

Address: 41 Pelican ST. West / Property ID #: 5234308007

It is our intent to ask the County to allow us to:

*Request for an after-the-fact variance from Section 4.02.01.A., Table 2.1, of the Collier County Land Development Code to reduce the minimum side yard setback from 7.5 feet to 7.35 feet for a single family dwelling and to reduce the minimum front yard setback from 25 feet to 21.69 feet for the attached covered entrance and 19.69 feet for the roof overhang. The property is described as Lot 82, Isles of Capri No. 1, also described as 41 Pelican Street West, in Section 31, Township 51 South, Range 26 East, Collier County, Florida. [PL20200001291]*

on the aforementioned property. In order to provide you an opportunity to become fully aware of our intention, you may choose to telephone the sender for further information. In any event, please be advised that we are interested in assuring you that our request should not adversely affect your property interest.

Sincerely,
Brian J. Cox
41 W. Pelican ST.
Naples, FL. 34113
(650) 333-4193

Attachment: Attachment F - Applicants Backup (16028 : PL20200001291 VA 41 Pelican Street West Cox)

Notice: This data belongs to the Collier County Property Appraiser's Office (CCPA). Therefore, the recipient agrees not to represent this data to anyone as other than CCPA provided data. The recipient may not transfer this data to others without consent from the CCPA.

**Petition: PL20200001291 (VA) | Buffer: 150' | Date: 2/23/2021 | Site Location: 52343080007**

| NAME1 | NAME2 | NAME3 | NAME4 | NAME5 | NAME6 | FOLIO | ADDRESS |
|---|---|---|---|---|---|---|---|
| CLUB AT LA PENINSULA INC, THE | % R & P PROPERTY MANAGEMENT | 265 AIRPORT RD S | | | NAPLES, FL 34104—3518 | 01050000004 | U |
| COOPER, MITCHEL & KARYN A | 37 W PELICAN ST | | | | NAPLES, FL 34113—4021 | 52343000003 | U |
| CORLE, JOHN | 1445 BUTTERFIELD COURT | | | | MARCO ISLAND, FL 34145—0 | 52344440002 | U |
| COX, BRIAN J | 41 PELICAN ST W | | | | NAPLES, FL 34113—0 | 52343080007 | U |
| GALENO, CIRO & DENISE | 252 SEGUINE AVE | | | | STATEN ISLAND, NY 10309—0 | 52344400000 | U |
| JAMES A HUGHES JR REV TRUST | 94 DOLPHIN CIR | | | | NAPLES, FL 34113—4016 | 52343160008 | U |
| JUREWICZ, MARK | JAY JOHN JUREWICZ | 99 DOLPHIN CIR | | | NAPLES, FL 34113—0 | 52344360001 | U |
| KAMYCK, NANCY A | CHRISTINE M DUDA | 89 DOLPHIN CIR | | | NAPLES, FL 34113—4048 | 52344480004 | U |
| SCHNELLER, PAUL | MARY BETH | 39 W PELICAN ST | | | NAPLES, FL 34113—4021 | 52343040005 | U |
| VIKING RED LLC | GISELA B GRANADO PLLC | 151 N NOB HILL RD #375 | | | PLANTATION, FL 33324—0 | 52343120006 | U |
| WOOD III, HARRY R & JULIE E | PO BOX 1371 | | | | MARCO ISLAND, FL 34146—1371 | 52343240009 | U |
| REFERENCE ONLY | | | | | | 01050400002 | N |
| SCHUIT, MARY ANNE LOUISE | 210 OLD ANCASTER RD | | | | DUNDAS L9H 5E3 CANADA | 52342960005 | F |

MARCO ISLAND FL 34145 FEB 26 2021 USPS

UNITED STATES POSTAL SERVICE.

MARCO ISLAND
600 E ELKCAM CIR
MARCO ISLAND, FL 34145-9998
(800)275-8777

02/26/2021 09:25 AM

| Product | Qty | Unit Price | Price |
|---|---|---|---|
| First-Class Mail® Letter<br>Naples, FL 34113<br>Weight: 0 lb 0.30 oz<br>Estimated Delivery Date<br>Mon 03/01/2021 | 1 | | $0.55 |
| First-Class Mail® Letter<br>Naples, FL 34113<br>Weight: 0 lb 0.30 oz<br>Estimated Delivery Date<br>Mon 03/01/2021 | 1 | | $0.55 |
| First-Class Mail® Letter<br>Naples, FL 34113<br>Weight: 0 lb 0.30 oz<br>Estimated Delivery Date<br>Mon 03/01/2021 | 1 | | $0.55 |
| First-Class Mail® Letter<br>Naples, FL 34104<br>Weight: 0 lb 0.30 oz<br>Estimated Delivery Date<br>Mon 03/01/2021 | 1 | | $0.55 |
| First-Class Mail® Letter<br>Naples, FL 34113<br>Weight: 0 lb 0.30 oz | 1 | | $0.55 |

MARCO ISLAND FL 34145 FEB 26 2021 USPS

| | | | |
|---|---|---|---|
| Fort Lauderdale, FL 33324<br>Weight: 0 lb 0.30 oz<br>Estimated Delivery Date<br>Mon 03/01/2021 | | | |
| First-Class™Intl Letter<br>Canada<br>Weight: 0 lb 0.30 oz | 1 | | $1.20 |
| First-Class Mail® Letter<br>Staten Island, NY 10309<br>Weight: 0 lb 0.30 oz<br>Estimated Delivery Date<br>Tue 03/02/2021 | 1 | | $0.55 |
| First-Class Mail® Letter<br>Naples, FL 34113<br>Weight: 0 lb 0.30 oz<br>Estimated Delivery Date<br>Mon 03/01/2021 | 1 | | $0.55 |
| First-Class Mail® Letter<br>Marco Island, FL 34146<br>Weight: 0 lb 0.30 oz<br>Estimated Delivery Date<br>Mon 03/01/2021 | 1 | | $0.55 |
| First-Class Mail® Letter<br>Marco Island, FL 34145<br>Weight: 0 lb 0.30 oz<br>Estimated Delivery Date<br>Mon 03/01/2021 | 1 | | $0.55 |
| Grand Total: | | | $6.70 |
| Debit Card Remitted<br>Card Name: VISA<br>Account #: XXXXXXXXXXXX2448<br>Approval #:<br>Transaction #: 611<br>Receipt #: 016004<br>Debit Card Purchase: $6.70 | | | $6.70 |

Attachment: Attachment F - Applicants Backup (16028 : PL20200001291 VA 41 Pelican Street West Cox)

Notice: This data belongs to the Collier County Property Appraiser's Office (CCPA). Therefore, the recipient agrees not to represent this data to anyone as other than CCPA provided data. The recipient may not transfer this data to others without consent from the CCPA.

**Petition: PL20200001291 (VA) | Buffer: 150' | Date: 2/23/2021 | Site Location: 52343080007**

| NAME1 | NAME2 | NAME3 | NAME4 | NAME5 | NAME6 | FOLIO | ADDRESS |
|---|---|---|---|---|---|---|---|
| CLUB AT LA PENINSULA INC, THE | % R & P PROPERTY MANAGEMENT | 265 AIRPORT RD S | | | NAPLES, FL 34104—3518 | 01050000004 | U |
| COOPER, MITCHEL & KARYN A | 37 W PELICAN ST | | | | NAPLES, FL 34113—4021 | 52343000003 | U |
| CORLE, JOHN | 1445 BUTTERFIELD COURT | | | | MARCO ISLAND, FL 34145—0 | 52344440002 | U |
| COX, BRIAN J | 41 PELICAN ST W | | | | NAPLES, FL 34113—0 | 52343080007 | U |
| GALENO, CIRO & DENISE | 252 SEGUINE AVE | | | | STATEN ISLAND, NY 10309—0 | 52344400000 | U |
| JAMES A HUGHES JR REV TRUST | 94 DOLPHIN CIR | | | | NAPLES, FL 34113—4016 | 52343160008 | U |
| JUREWICZ, MARK | JAY JOHN JUREWICZ | 99 DOLPHIN CIR | | | NAPLES, FL 34113—0 | 52344360001 | U |
| KAMYCK, NANCY A | CHRISTINE M DUDA | 89 DOLPHIN CIR | | | NAPLES, FL 34113—4048 | 52344480004 | U |
| SCHNELLER, PAUL | MARY BETH | 39 W PELICAN ST | | | NAPLES, FL 34113—4021 | 52343040005 | U |
| VIKING RED LLC | GISELA B GRANADO PLLC | 151 N NOB HILL RD #375 | | | PLANTATION, FL 33324—0 | 52343120006 | U |
| WOOD III, HARRY R & JULIE E | PO BOX 1371 | | | | MARCO ISLAND, FL 34146—1371 | 52343240009 | U |
| REFERENCE ONLY | | | | | | 01050400002 | N |
| SCHUIT, MARY ANNE LOUISE | 210 OLD ANCASTER RD | | | | DUNDAS L9H 5E3 CANADA | 52342960005 | F |

Attachment: Attachment F - Applicants Backup (16028 : PL20200001291 VA 41 Pelican Street West Cox)

# AFFIDAVIT OF COMPLIANCE

I hereby certify that pursuant to Ordinance 2004-72, of the Collier County Land Development Code, I did give notice by mail at least 30 days after receipt of letter indicating that the application is sufficient to the following property owners and or condominium and civic associations whose members may be impacted by the proposed land use changes of an application request for a variance or parking exemption. *For the purposes of this requirement, the names and addresses of property owners shall be deemed those appearing on the latest tax rolls of Collier County and any other persons or entities who have made a formal request of the county to be notified.* The said notice contained the laymen's description of the site property of proposed change.

Per attached letters and or property owner's list, which are hereby made a part of this Affidavit of Compliance.

(Signature of Applicant)

State of Florida
County of Collier

The foregoing Affidavit of compliance was acknowledged before me this 26 day of Feb, 2020 by Brian Cox, who is personally known to me or who has produced FL. D.L. as identification.

(Signature of Notary Public)

(Notary Seal)

Printed Name of Notary

BEAU CHRISTOPHER MIDDLEBROOK
State of Florida-Notary Public
Commission # GG 219159
My Commission Expires
September 10, 2022

Attachment: Attachment F - Applicants Backup (16028 : PL20200001291 VA 41 Pelican Street West Cox)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliercountyfl.gov

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

# Hybrid Virtual Quasi-Judicial Public Hearing Waiver

## Emergency/Executive Order 2020-04
## Hearing of the Collier County Hearing Examiner

For Petition Number(s): PL20200001291

Regarding the above subject petition number(s), Brian Cox (Name of Applicant) elects to proceed during the declared emergency with hybrid virtual public hearing of the Collier County Hearing Examiner, and waives the right to contest any procedural irregularity due to the hybrid virtual nature of the public hearing.

Name: Brian Cox Date: 5/3/2021

Signature:

☒ Applicant*

☐ Legal Counsel to Applicant

* This form must be signed by either the Applicant (if the applicant is a corporate entity, this must be an officer of the corporate entity) or the legal counsel to the Applicant.

Attachment: Attachment G - HEX Hybrid Meeting Waiver (16028 : PL20200001291 VA 41 Pelican Street West Cox)

**COLLIER COUNTY**
**Collier County Hearing Examiner**

**Item Number:** 3.C
**Item Summary:** PETITION No. PL20200001952 - Request for an insubstantial change to the Hammock Park Mixed-Use Planned Unit Development (MPUD), Ordinance No. 04-68, as amended, to allow a temporary off-premises directional sign up to 10 feet in height, 64 square feet in area, and 1,320± feet from the subject McMullen MPUD, Watercrest Assisted Living Facility, to approve deviations increasing the permissible height, size, and distance of said sign, and to update PUD and CPUD references to MPUD, located on 19± acres at the northeast corner of the intersection of Collier Boulevard (CR-951) and Rattlesnake Hammock Road in Section 14, Township 50 South, Range 26 East, Collier County, Florida. [Coordinator: John Kelly, Senior Planner] Commission District 1

**Meeting Date:** 06/10/2021

---

**Prepared by:**
Title: Planner – Zoning
Name: John Kelly
05/24/2021 1:57 PM

**Submitted by:**
Title: Planner, Principal – Zoning
Name: Anita Jenkins
05/24/2021 1:57 PM

---

**Approved By:**

Review:

| | | | | |
|---|---|---|---|---|
| Growth Management Operations & Regulatory Management | Kenneth Kovensky | | Review Item | Completed |
| Hearing Examiner (GMD Approvers) | Diane Lynch | Review Item | Completed | 05/24/2021 4:15 PM |
| Zoning | Ray Bellows | Review Item | Completed | 05/24/2021 6:05 PM |
| Zoning | Anita Jenkins | Zoning Director Review | Completed | 05/25/2021 9:02 AM |
| Hearing Examiner | Andrew Dickman | Meeting Pending | 06/10/2021 9:00 AM | |

# STAFF REPORT

**TO:** COLLIER COUNTY HEARING EXAMINER

**FROM:** ZONING DIVISION – ZONING SERVICES SECTION
GROWTH MANAGEMENT DEPARTMENT

**HEARING DATE:** JUNE 10, 2021

**SUBJECT:** PDI-PL20200001952, HAMMOCK PARK COMMERCE CENTRE MPUD

---

**OWNER/APPLICANT:**

Hammock Park Apartments, LLC
7742 Alico Road
Fort Myers, FL 33912

**AGENT:**

Alexis Crespo, AICP
Waldrop Engineering, P.A.
28100 Bonita Grande Drive, Suite 305
Bonita Springs, FL 34135

**REQUESTED ACTION:**

The petitioner requests that the Hearing Examiner approve an insubstantial amendment to the Hammock Park Commerce Centre Mixed-Use Planned Unit Development (MPUD), Ordinance No. 04-68, as amended, to allow a temporary off-premise directional sign up to 10 feet in height, 64 square feet in area, 1,320± feet from the McMullen MPUD, Watercrest Assisted Living Facility, to approve deviations increasing the permissible height, size, and distance of said sign, and to update PUD and CPUD references to MPUD.

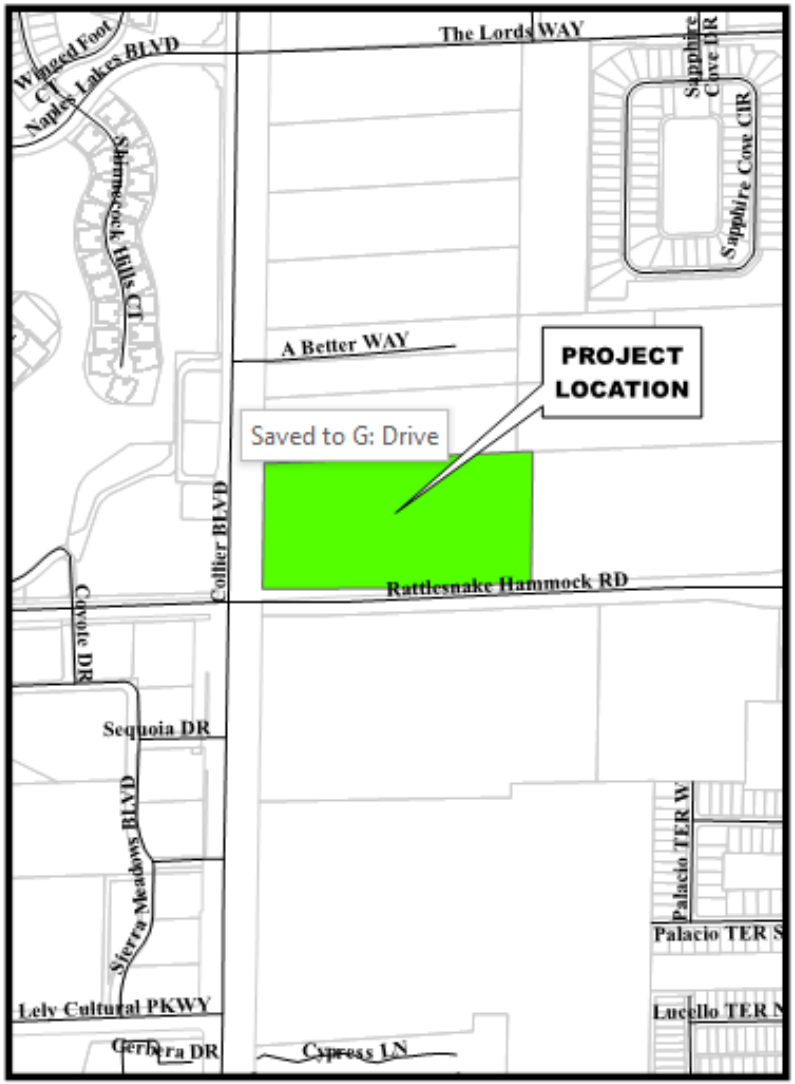
**GEOGRAPHIC LOCATION:**

The subject property, consisting of 19.19± acres, is located in the northeast quadrant of the intersection of Collier Boulevard (CR-951) and Rattlesnake Hammock Road in Section 14, Township 50 South, Range 26 East, Collier County, Florida. Activity Center Number 7 includes the subject parcel.

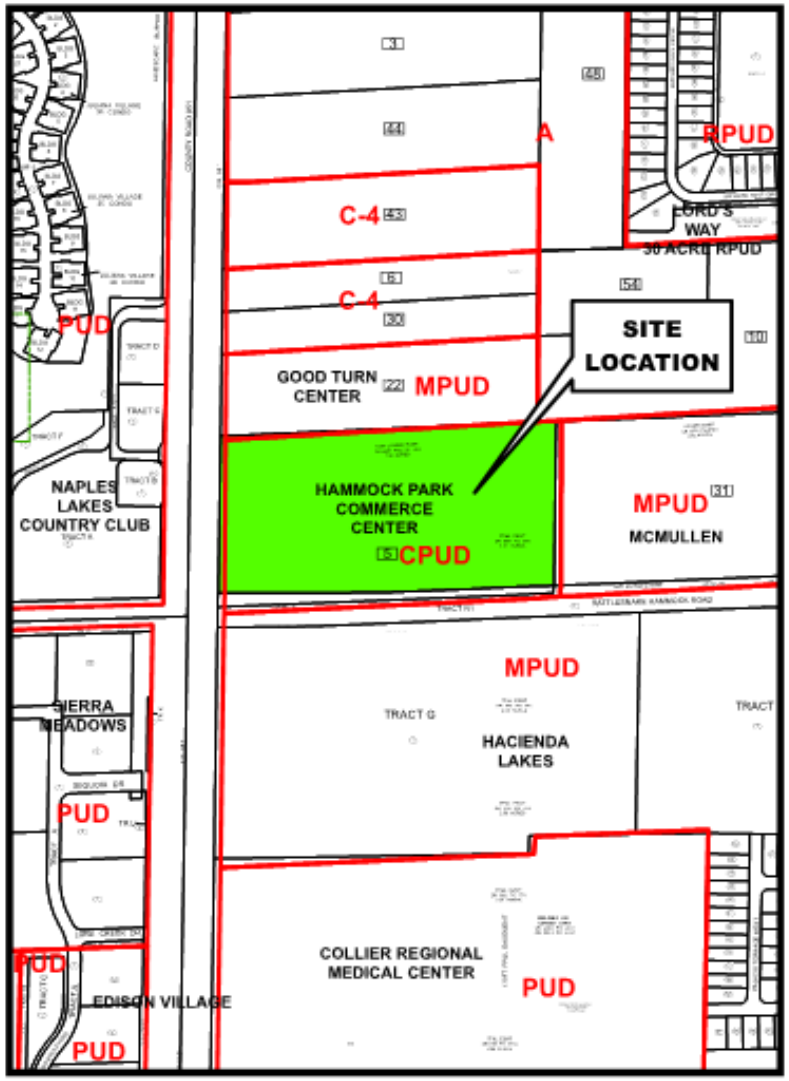
**PURPOSE AND DESCRIPTION OF PROJECT:**

The Applicant requests to amend the Hammock Park Commerce Centre MPUD by allowing a temporary off-premise directional sign, no greater than 64 square feet and 10-foot tall, for the neighboring Watercrest Assisted Living Facility located within the McMullen MPUD; three deviations from the Land Development Code (LDC) are required to allow for the permitting of said sign. Additionally, as the subject MPUD has been previously amended there are past PUD and CPUD references that will be updated to MPUD.

Attachment: Staff Report 051321 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)




Location Map

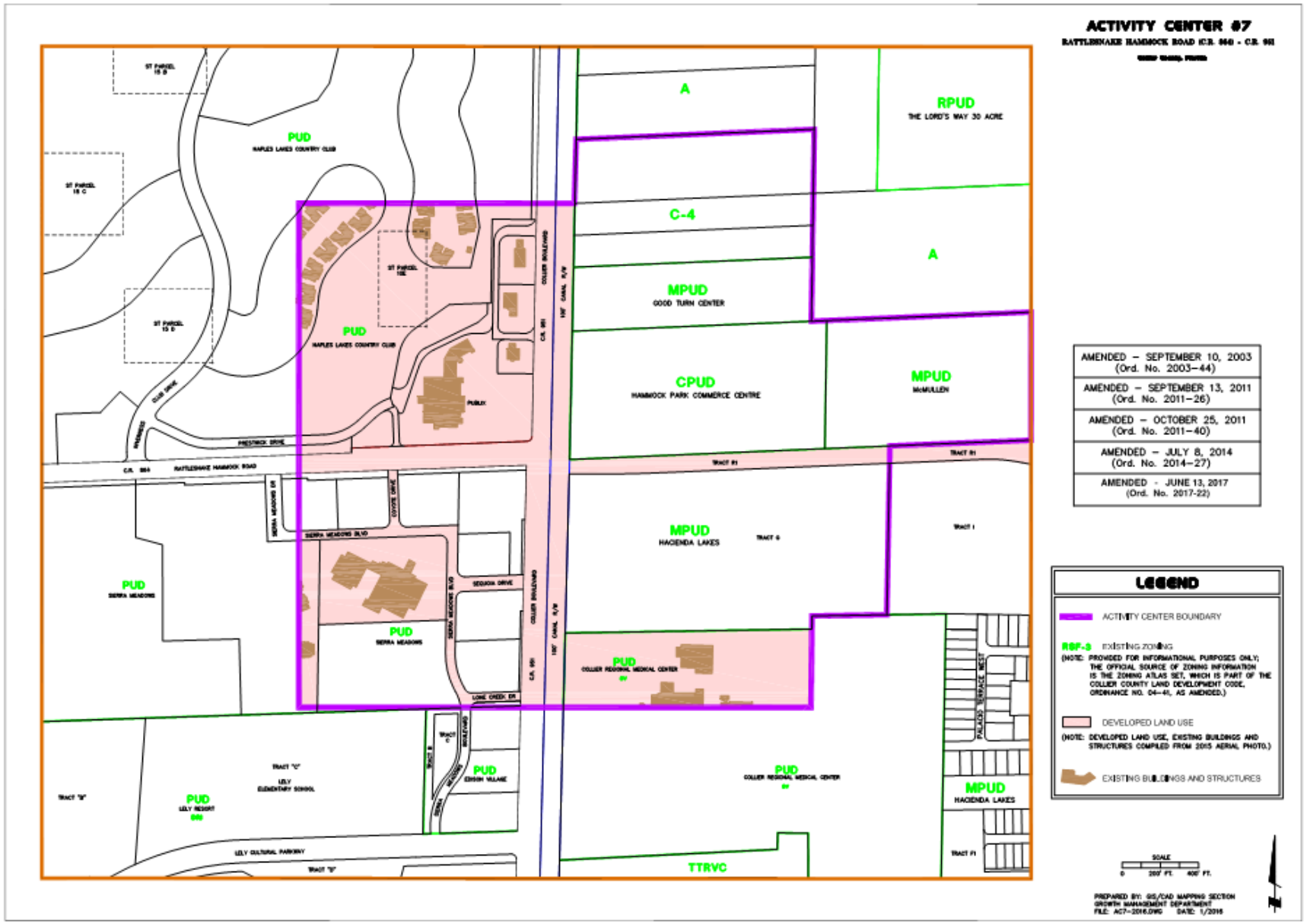



Zoning Map

Petition Number: PL20200001952



Attachment: Staff Report 051321 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)






Attachment: Staff Report 051321 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

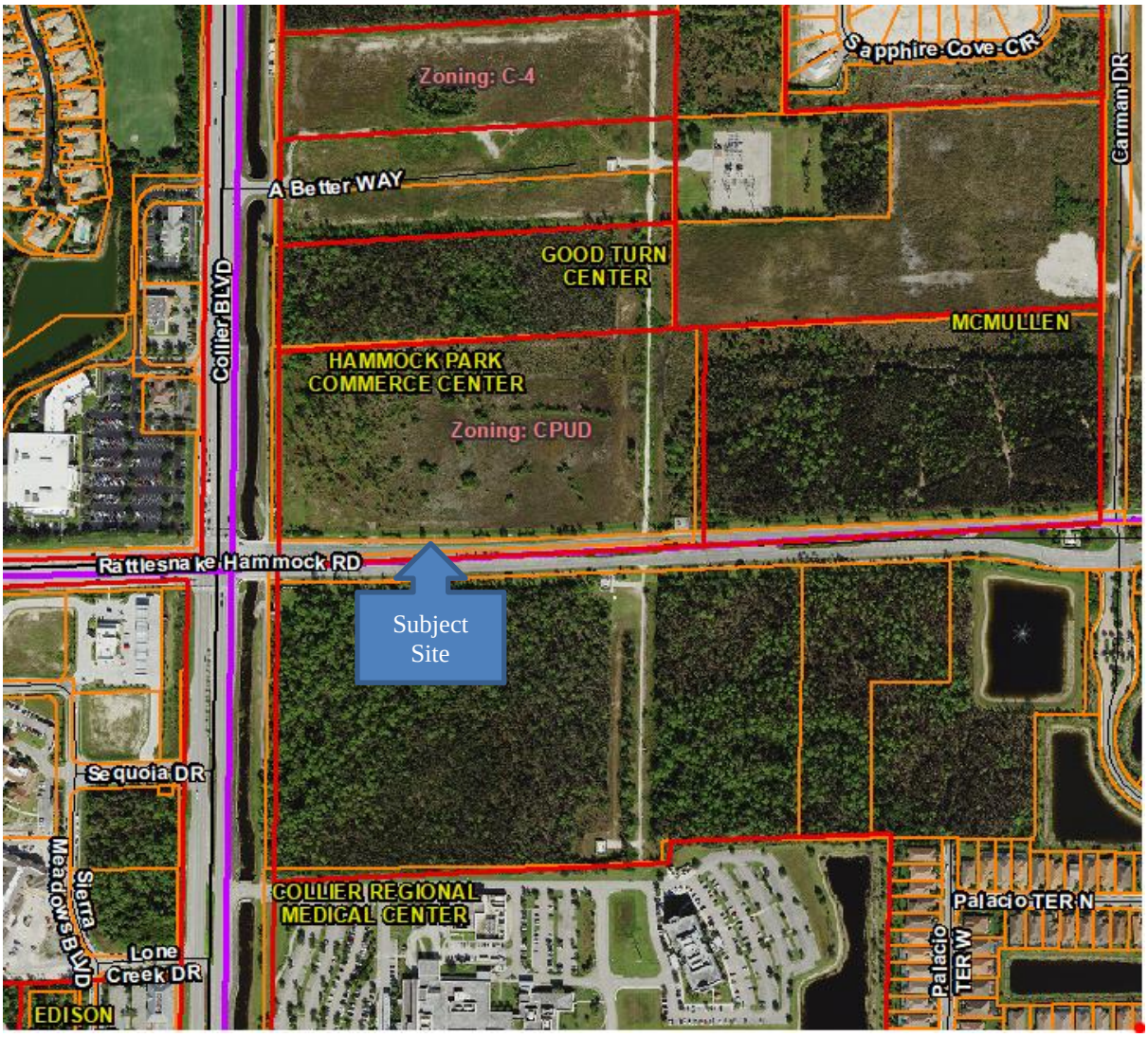
**SURROUNDING LAND USE AND ZONING:**

North: Undeveloped property located within the **Good Turn Center MPUD** zoning district; intensity: 100,000 square feet of commercial; and, and an undeveloped parcel zoned **Agricultural**, density: 1 DU/5 acres

East: Site Development Plan Approval has been granted for the Watercrest at Hacienda Lakes Independent Living Facility, located within the **McMullen MPUD**; intensity: 185,000 square feet of commercial

South: Rattlesnake Hammock Road ROW, across which is an undeveloped commercial tract zoned **Hacienda Lakes MPUD**; intensity: 327,500 square feet of commercial and 70,000 square feet of professional and medical office.

West: Collier Boulevard ROW, across which is the developed commercial tract of the **Naples Lakes Country Club PUD**, intensity: 110,000 square feet of commercial




**Collier County GIS**

Attachment: Staff Report 051321 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

**STAFF ANALYSIS:**

The proposed amendment will have a minor effect on abutting properties by permitting a temporary, off-site, directional sign for the benefit of the neighboring Watercrest development. Staff is however concerned that at the time of this petition the property in question has not yet received development approval and will in the future have its own sign needs.

*Comprehensive Planning:* The subject site is within Activity Center Number 7 on the Future Land Use Map of the Future Land Use Element of the Growth Management Plan. The Mixed Use Activity Center Subdistrict allows the full array of commercial uses (C1 – C5). This CPUD is approved for a mixture of commercial uses, including retail and office uses, and customary accessory uses. The proposed amendment does not add or remove uses or increase use intensity.

*Conservation and Coastal Management Element:* Not applicable.

*Transportation Element:* Not applicable.

**PLANNED UNIT DEVELOPMENT INSUBSTANTIAL CHANGE CRITERIA:**

There are three types of changes to a PUD Ordinance: Substantial, Insubstantial, and Minor. An insubstantial change includes any change that is not considered a substantial or minor change. An insubstantial change to an approved PUD Ordinance shall be based upon an evaluation of LDC subsection 10.02.13 E.1.

### LDC Section 10.02.13.E.1 Criteria:

**a. Is there a proposed change in the boundary of the Planned Unit Development (PUD)?**

No, there is no proposed change in the boundary of the PUD.

**b. Is there a proposed increase in the total number of dwelling units or intensity of land use or height of buildings within the development?**

No, there is no proposed increase in the number of dwelling units or intensity of land use or height of buildings within the development.

**c. Is there a proposed decrease in preservation, conservation, recreation, or open space areas within the development in excess of five (5) percent of the total acreage previously designated as such, or five (5) acres in area?**

No, there is no proposed decrease in preservation, conservation, recreation, or open space areas within the development as designated on the approved Master Plan.

**d. Is there a proposed increase in the size of areas used for non-residential uses, to include institutional, commercial and industrial land uses (excluding preservation, conservation or open space), or a proposed relocation of nonresidential land uses?**

No, the proposed amendment is to allow an off-site directional sign and to allow for corrections to the MPUD document by changing references from PUD and CPUD to MPUD.

Attachment: Staff Report 051321 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

**e. Is there a substantial increase in the impacts of the development which may include, but are not limited to increases in traffic generation; changes in traffic circulation; or impacts on other public facilities?**

No, there are no substantial impacts resulting from this amendment.

**f. Will the change result in land use activities that generate a higher level of vehicular traffic based upon the Trip Generation Manual published by the Institute of Transportation Engineers?**

The proposed change is for a temporary directional sign and will not create any additional vehicular generated trips based upon the ITE Trip Generation Manual.

**g. Will the change result in a requirement for increased stormwater retention, or otherwise increase stormwater discharge?**

No, the proposed changes will not impact or increase stormwater retention or increase stormwater discharge.

**h. Will the proposed change bring about a relationship to an abutting land use that would be incompatible with an adjacent land use?**

No. There will be no incompatible relationships with abutting land uses.

**i. Are there any modifications to the PUD Master Plan or PUD document or amendment to a PUD ordinance which is inconsistent with the Future Land Use Element or other elements of the Growth Management Plan or which modification would increase the density of intensity of the permitted land uses?**

No, this modification is in compliance with the Future Land Use Element of the Growth Management Plan.

**j. The proposed change is to a PUD District designated as a Development of Regional Impact (DRI) and approved pursuant to Chapter 380.06, Florida Statues, where such change requires a determination and public hearing by Collier County pursuant to Sec. 380.06 (19), F.S. Any change that meets the criterion of Sec. 380.06 (19)(e)2., F.S., and any changes to a DRI/PUD Master Plan that clearly do not create a substantial deviation shall be reviewed and approved by Collier County under Section 10.02.13 of the LDC.**

Hammock Park Commerce Centre CPUD is not a DRI, so this criterion is not applicable.

**k. Are there any modifications to the PUD Master Plan or PUD document or amendment to a PUD ordinance which impact(s) any consideration deemed to be a substantial modification as described under Section(s) 10.02.13 E.?**

Based upon the analysis provide above, the proposed change is not deemed to be substantial.

## LDC Section 10.02.13.E.2 Criteria:

**Does this petition change the analysis of the findings and criteria used for the original application? (Rezone Findings are attached to this Staff Report as Exhibit "A".)**

Attachment: Staff Report 051321 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

No, the change proposed does not affect the original analysis, rezone, and PUD findings (attached).

***Deviation Discussion:***

The petitioner is seeking three new deviations from the requirements of the LDC which are required to support an amendment to Section 2.6 (Signs) of the MPUD document. The proposed subsection, 5.6.C. reads as follows:

> **The off-premises directional sign for the Watercrest project (AKA McMullen MPUD) shall be no greater than 64 SF and 10' tall. The sign may be located on the property for a maximum of three (3) years from the date of sign permit issuance or until new home/unit sales are completed in accordance with the location shown on Exhibit D-1.**

The petitioner's justification and staff analysis/recommendation are outlined below.

**PUD Deviations 1 thru 3**: existing, not applicable to this petition.

**Proposed Deviation #4:**

Deviation #4 seeks relief from LDC Section 5.06.04.G.2.a, which allows for a maximum sign area of 12 square feet for off-premises directional signs, to allow for a maximum sign area of 64 square feet for the proposed temporary off-premises directional sign as depicted in Exhibit D-1 and referenced by Section 2.6.C of the MPUD document.

***Petitioner's Justification:***

"The request will allow for an appropriately sized off-premises directional sign to notify the travelling public of the Watercrest Assisted Living Facility (ALF) located to the east of Hammock Park.

Collier Blvd. is a major arterial facility with relatively high travel speeds. Thus, visible signage to direct the travelling public is critical along this roadway, when compared to smaller, collector or local roads.

Additionally, the property boundary is setback a minimum of 115+/-feet from the travel lanes. This substantial setback is created by the Collier Blvd. canal and pathway system within the county-owned right-of-way. Therefore, the signage will not be located directly on the roadway and create a negative or unattractive viewshed for the public.

It is understood that Hammock Park MPPUD may not exceed the number of signs permitted by LDC §5.06.02.B.2, thereby preventing signage proliferation on the property."

***Staff Analysis and Recommendation:***

The purpose of the County's Sign Code is expressed within LDC Section 5.06.01.A which states:

> "The purpose of this sign code is to provide minimum control of signs necessary to promote the health, safety and general welfare of the citizens of Collier County, Florida, by lessening hazards to pedestrians and vehicular traffic, by preserving property values, by preventing unsightly and detrimental signs that detract from the aesthetic appeal of the county and lead to economic decline and blight, by preventing signs from reaching such excessive size and numbers that they obscure one another to the detriment of the county, by assuring good and attractive design that will

Attachment: Staff Report 051321 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

strengthen the county's appearance and economic base, and by preserving the right of free speech and expression in the display of signs."

Staff finds the size of the subject sign, 64 square feet, to be excessive and is therefore unable to support the requested off-premise directional sign proposed for this location. Staff bases this finding on the fact that the property involved has already been granted LDC deviations to allow for another off-premise directional sign; said sign is part of what must be described as an entry feature for the Hacienda Lakes community; said off-premise directional sign was limited to 32 square feet of sign area. Additionally, staff must consider that at the time this application was presented the subject property was undeveloped. Said property remains undeveloped; however, preliminary site development plans have since been delivered to the County and are actively engaged in the review process (refer to Attachment F). Said plans are for a mixed-use apartment complex with commercial elements and a 7-Eleven convenience store with fuel pumps. Staff has concerns that these businesses that front on Collier Boulevard will desire their own signs to promote exposure, the placement for which are limited by the existing off-premise directional sign and entry tower features that have already been approved for the subject location. Staff did express to the applicant that a 32 square foot sign would be considered.

**Proposed Deviation #5:**

Deviation #5 seeks relief from LDC Section 5.06.04.G.2.b, which allows for a maximum sign height of 8 feet for off-premises signs, to allow for a maximum sign height of 10 feet for the proposed off-premises sign as depicted in Exhibit D-1 and referenced by Section 2.6.C of the MPUD document.

***Petitioner's Justification:***

"The height is necessary to ensure legible signage in consideration of the significant setback between the sign and the roadway, as well as the travel speeds along Collier Blvd.

The sign has been attractively designed, as shown on the attached rendering in order to protect viewsheds."

***Staff Analysis and Recommendation:***

Staff has no objection to this deviation as other entry features on this site exceed 10-feet provided that said sign is not also placed on top of a landscape berm which would further elevate the sign; the applicant's justification is acknowledged.

**Proposed Deviation #6:**

Deviation #6 seeks relief from LDC Section 5.06.04.G.2.e, which requires off-premises directional signs to be located no more than 1,000 feet from the use for which the sign is displayed, to allow the proposed temporary off-premises directional sign to be located no more than 1,320+/- feet from the use for which the sign is displayed as depicted in Exhibit D-1 and referenced by Section 2.6.C of the MPUD document.

***Petitioner's Justification:***

"The proposed location of the sign, generally in the middle of the Collier Blvd. frontage, is approximately 1,320+/- linear feet east of the Watercrest project site (AKA McMullen PUD).

The proposed signage location achieves visibility from Collier Blvd., an arterial roadway with relatively high travel speeds, and also provides adequate separation(150+/-feet) from Hacienda Lakes signage monument and tower features at the corner of Rattlesnake Hammock Road and Collier Blvd. The sign will maintain all required setbacks from the right-of-way/property lines."

Attachment: Staff Report 051321 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

***Staff Analysis and Recommendation:***

Staff has no objection as to the required increase of distance required to allow the Watercrest facility to have a directional sign at the requested location.

**NEIGHBORHOOD INFORMATION MEETING (NIM):**

A NIM Waiver was granted for this project, pursuant to LDC Section 10.03.06.H.2.a, by the Hearing Examiner on January 27, 2021, following the first review of the project, with the condition that should any opposition to the application occur between the granting of the waiver and the public hearing said waiver may be rescinded resulting in the requirement that a NIM be conducted.

**STAFF RECOMMENDATION:**

Staff is constrained from recommending that the Collier County Hearing Examiner approve Petition PDI-PL20160002044 as the size of the sign is not consistent with other off-premise directional signs that have been previously approved. Should the Hearing Examiner determine the off-premise directional sign is warranted, staff recommends the following conditions:

1. The temporary off-premise directional sign shall be no greater than 10 feet tall and have a sign face area of 32 square feet or less; and
2. The off-premise directional sign may be located on the subject property for a maximum of three years from the date of sign permit issuance, until new home/unit sales are completed for the Watercrest project, or until a building permit is issued for a principal structure on the subject property, whichever occurs first.

Documents pertinent to the approval of this petition are contained within Attachment A. Acceptance of the above conditions will require proposed MPUD Section 2.6.C be modified prior to issuance of the Hearing Examiner's formal decision.

Attachments:

A. Proposed PUD Insubstantial Change Documents
B. Google – Street View of 7-Eleven Development Area – Collier Blvd.
C. Findings of Fact of the original Rezone
D. HEX Decision 2014-28
E. HEX Decision 2016-42
F. Preliminary Site Development Plans and 7-Eleven Sign Site Plan
G. Applicant's Backup - Application and support documents
H. Hybrid Meeting Waiver

Attachment: Staff Report 051321 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

**Hammock Park MPUD**
**Amend Ordinance 07-30**

AMENDMENT TO THE TABLE OF CONTENTS/LIST OF EXHIBITS PAGE; SECTION VI, REQUESTED DEVIATIONS FROM THE LDC; OF THE PUD DOCUMENT ATTACHED TO ORDINANCE NO. 07-30, HAMMOCK PARK MPUD

The Table of Contents Page of the PUD Document of the Hammock Park MPUD, is hereby amended.

The "Project Development," labeled as Section II of the PUD Document of the Hammock Park MPUD is hereby amended.

The "Requested Deviations from the LDC," labeled as Section VI of the PUD Document of the Hammock Park MPUD, is hereby amended.

The Exhibit D-1, labeled "Off-Premise Directional Signage", attached hereto and incorporated herein, is hereby added to the PUD Document of the Hammock Park MPUD.

Attachment: Attachment A - Proposed PUD Insubstantial Change Documents (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

# HAMMOCK PARK MPUD

## TABLE OF CONTENTS

**STATEMENT OF COMPLIANCE**

**SECTION I** Property Ownership & Description

**SECTION II** Project Development

**SECTION III** Commercial- Mixed Use

**SECTION IV** Preserve Area

**SECTION V** General Development Commitments

**SECTION VI** Requested Deviations from the LDC [1]

## LIST OF EXHIBITS

**EXHIBIT "A"** PUD Master Plan

**EXHIBIT "A-1"** Off-Premises Directional Sign Location [1]

**EXHIBIT "C-1"** Tower Locations [2]

**EXHIBIT "C-2"** Tower Renderings [2]

**EXHIBIT "D-1"** Off-Premises Temporary Directional Signage

1. Approved in HEX decision 2014-28.
2. Approved in HEX decision 2016-42.

Attachment: Attachment A - Proposed PUD Insubstantial Change Documents (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

Attachment: Attachment A - Proposed PUD Insubstantial Change Documents (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

## SECTION II

## PROJECT DEVELOPMENT

### 2.1 PURPOSE

The purpose of this Section is to delineate and generally describe the project plan of development, relationships to applicable County ordinances, the respective land uses of the tracts included in the project, as well as other project relationships.

### 2.2 GENERAL

A. Regulations for development of the Hammock Park MPUD shall be in accordance with the contents of this Document, MPUD - Mixed Use Planned Unit Development District, applicable sections and parts of the LDC and GMP in effect at the time of site development plan approval. Where these regulations fail to provide developmental standards, then the provisions of the most similar district in the LDC shall apply.

B. Unless otherwise noted, the definitions of all terms shall be the same as the definitions set forth in the LDC in effect at the date of adoption of this PUD.

C. All conditions imposed and graphic material presented depicting restrictions for the development of the Hammock Park MPUD shall become part of the regulations that govern the manner in which the MPUD site may be developed.

D. Unless specifically waived through any variance or waiver provisions from any other applicable regulations, the provisions of those regulations not otherwise provided for this ~~C~~MPUD remain in full force and effect.

### 2.3 PROJECT PLAN AND PROPOSED LAND USES

A. The project Master Plan is illustrated graphically by Exhibit "A", MPUD Master Plan.

B. Minor modifications to Exhibit "A" may be permitted at the time of Site Development Plan approval, subject to the provisions of the LDC, as amended, or as otherwise permitted by this MPUD Document.

C. In addition to the various areas and specific items shown in Exhibit "A", easements (such as utility, private and semi-public) shall be established and/or vacated within or along the properly, as may be necessary.

### 2.4 LAND USE

A. Exhibit "A", MPUD Master Plan, constitutes the required MPUD Development Plan. Except as otherwise provided within this MPUD Document, any division of the property and the development of the land shall be in compliance with the subdivision regulations and the platting laws of the State of Florida.

B. Appropriate instruments will be provided at the time of infrastructure improvements regarding any dedications and the methodology for providing perpetual maintenance of common facilities.

## 2.5 NATIVE VEGETATION RETENTION REQUIREMENTS

Pursuant to the LDC, as amended, 15% of the native vegetation on site shall be retained. The exact boundaries of the preserve may vary in order to accommodate final alignment of Rattlesnake Hammock Extension but a minimum of 1.63 acres of native preserve shall be provided for in accordance with the LDC.

## 2.6 SIGNS

Signs shall be in accordance with the LDC, as amended except as provided herein and under Section 6.1. "Sign Deviations."[1]

A. One (1) off-premises directional sign for the Hacienda Lakes PUD/DRI shall be permitted in the northeast quadrant of the intersection of C.R. 951 and Rattlesnake Hammock Road, as depicted and labeled per Exhibit A-1. This off-premises sign shall be allowed in addition to other signage allowed by the LDC. The off-premises sign shall contain only the name of the overall project and the insignia or motto of the entire development.[1]

B. The off-premises directional sign for the Hacienda Lakes PUD/DRI shall be no greater than 13 feet in height, and total square footage of all sign copy areas (name of the project and insignias or mottos) shall not exceed 38 square feet (see Deviations #1 and #2 under Section 6.1. "Sign Deviations").[1]

C. <u>The off-premises directional sign for the Watercrest project (AKA McMullen MPUD) shall be no greater than 64 SF and 10' tall. The sign may be located on the property for a maximum of three (3) years from the date of sign permit issuance or until new home/unit sales are completed in accordance with the location shown on Exhibit D-1.</u>

1. Approved in HEX decision 2014-28.

Attachment: Attachment A - Proposed PUD Insubstantial Change Documents (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

Attachment: Attachment A - Proposed PUD Insubstantial Change Documents (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

## SECTION VI[1]

## REQUESTED DEVIATIONS FROM THE LDC[1]

### 6.1 DEVIATIONS[1]

A. Deviation #1 seeks relief from LDC Section 5.06.04.G.2.a to allow the off-premises directional sign for the Hacienda Lakes PUD/DRI depicted on Exhibit A-1 to have a maximum of 38 square feet in sign area (total square footage of all sign copy areas, including the name of the project and insignias or mottos), rather than 12 square feet as limited in the LDC.[1]

B. Deviation #2 seeks relief from LDC Section 5.06.04.G.2.b to allow the off-premises directional sign for the Hacienda Lakes PUD/DRI depicted on Exhibit A-1 to have a maximum height of 13 feet above the lowest center grade of the roadway adjacent to the sign location, rather than 8 feet as limited in the LDC.[1]

C. Deviation #3 seeks relief from LDC Section 4.02.03.A, which requires accessory structures to be constructed simultaneously with or following the construction of the principal structure, to instead allow accessory structures to be constructed prior to construction of the principal structure. This deviation shall apply only to the two (2) accessory tower structures at the location depicted on Exhibit C-1, "Tower Locations," and further shown on Exhibit C-2, "Tower Renderings."[2]

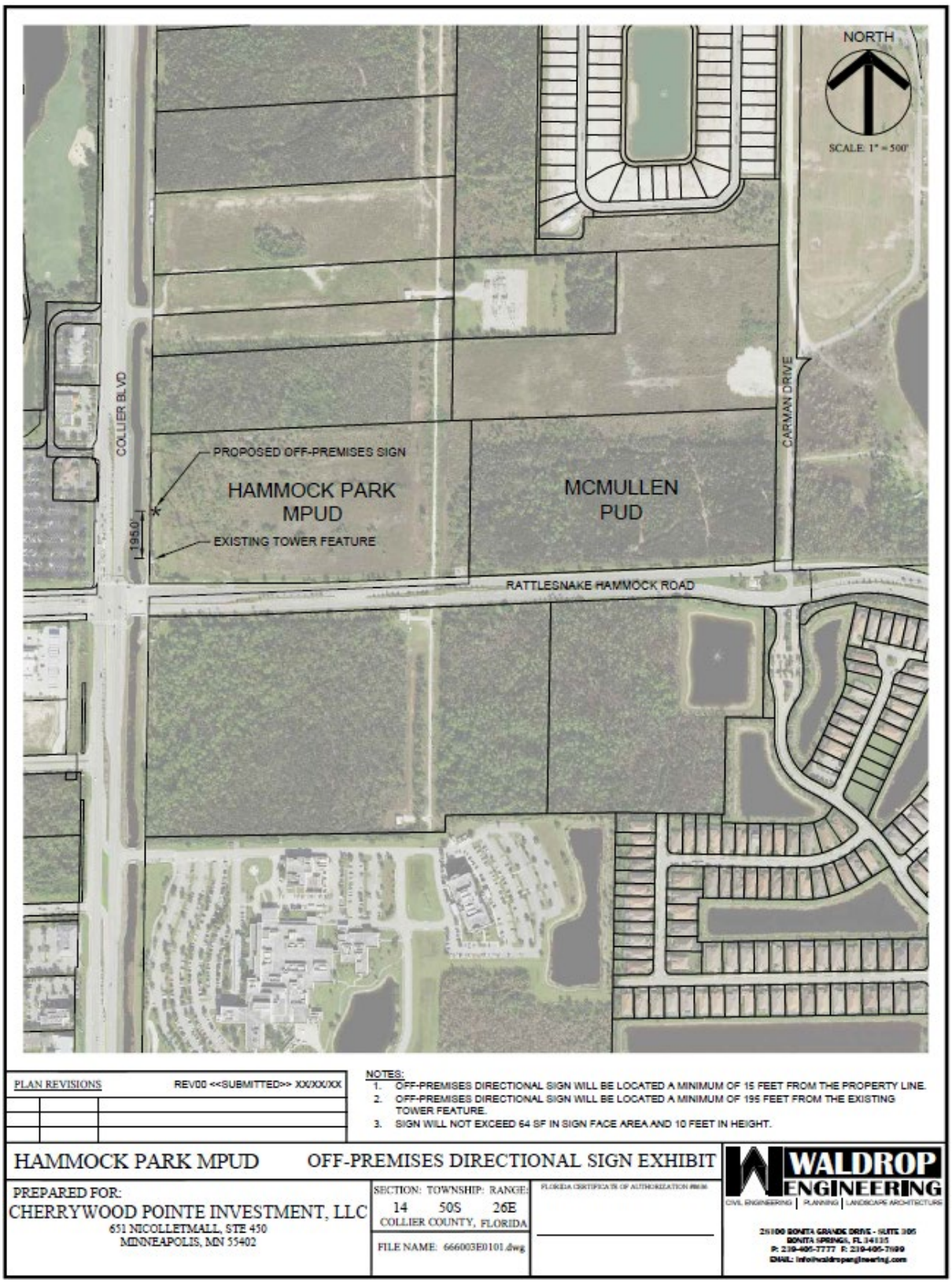
D. Deviation #4 seeks relief from LDC Section 5.06.04.G.2.a, which allows for a maximum sign area of 12 square feet for off-premises directional signs, to allow for a maximum sign area of 64 square feet for the proposed temporary off-premises directional sign as depicted in Exhibit D-1 and referenced by Section 2.6.C of the MPUD document.

E. Deviation #5 seeks relief from LDC Section 5.06.04.G.2.b, which allows for a maximum sign height of 8 feet for off-premises signs, to allow for a maximum sign height of 10 feet for the proposed off-premises sign as depicted in Exhibit D-1 and referenced by Section 2.6.C of the MPUD document.

F. Deviation #6 seeks relief from LDC Section 5.06.04.G.2.e, which requires off-premises directional signs to be located no more than 1,000 feet from the use for which the sign is displayed, to allow the proposed temporary off-premises directional sign to be located no more than 1,320+/- feet from the use for which the sign is displayed as depicted in Exhibit D-1 and referenced by Section 2.6.C of the MPUD document.

1. Approved in HEX decision 2014-28.
2. Approved in HEX decision 2016-42.

# EXHIBIT D-1




| PLAN REVISIONS | REV00 <<SUBMITTED>> XX/XX/XX |
|---|---|
| | |
| | |
| | |

NOTES:
1. OFF-PREMISES DIRECTIONAL SIGN WILL BE LOCATED A MINIMUM OF 15 FEET FROM THE PROPERTY LINE.
2. OFF-PREMISES DIRECTIONAL SIGN WILL BE LOCATED A MINIMUM OF 195 FEET FROM THE EXISTING TOWER FEATURE.
3. SIGN WILL NOT EXCEED 64 SF IN SIGN FACE AREA AND 10 FEET IN HEIGHT.

HAMMOCK PARK MPUD — OFF-PREMISES DIRECTIONAL SIGN EXHIBIT

PREPARED FOR:
CHERRYWOOD POINTE INVESTMENT, LLC
651 NICOLLETMALL, STE 450
MINNEAPOLIS, MN 55402

SECTION: TOWNSHIP: RANGE:
14 50S 26E
COLLIER COUNTY, FLORIDA

FILE NAME: 666003E0101.dwg

FLORIDA CERTIFICATE OF AUTHORIZATION #8636

WALDROP ENGINEERING
CIVIL ENGINEERING | PLANNING | LANDSCAPE ARCHITECTURE
28100 BONITA GRANDE DRIVE - SUITE 305
BONITA SPRINGS, FL 34135
P: 239-405-7777 F: 239-405-7699
EMAIL: info@waldropeng.com

Attachment: Attachment A - Proposed PUD Insubstantial Change Documents (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

**HAMMOCK PARK PDI**
**OFF-PREMISE DIRECTIONAL SIGN**




**MAX. SIGN FACE AREA: 64 SF**
**MAX. SIGN HEIGHT: 10 FEET**

**CONCEPTUAL SIGN FACE CONTENT - FOR ILLUSTRATIVE PURPOSES ONLY**

Attachment: Attachment A - Proposed PUD Insubstantial Change Documents (16029 : PL20200001952 PDI Hammock Park Commerce Centre)


7-Eleven #41574 Parcel
3.C.c
Attachment: Attachment B - Google - Streetview of 7-Eleven Hammock Park parcel
Google Earth
© 2021 Google
US Dept of State Geographer
10 ft

**Exhibit A**

**REZONE FINDINGS**
**PETITION PUDA-2006-AR-10030**
**Hammock Park Commerce Centre CPUD**

Chapter 10.03.05.G of the Collier County Land Development Code requires that the report and recommendations of the Planning Commission to the Board of County Commissioners shall show that the Planning Commission has studied and considered the proposed change in relation to the following, where applicable:

**1. Whether the proposed change will be consistent with the goals, objectives, & policies of the Future Land Use Map and the elements of the Growth Management Plan.**

Pro: The Comprehensive Planning Department has indicated that the proposed amendment is consistent with the Future Land Use Element (FLUE) land use designation of the Growth Management Plan (GMP).

Con: None

Findings: Based on the staff's review the amendment would be in compliance with the FLUE of the GMP and the Land Development Code (LDC). Since the current CPUD is amending the intensity of the permitted retail and commercial units the goals and objective of the GMP will remain.

**2. The existing land use pattern;**

Pro: This project is adjacent to Heavy Commercial District (C-5); the permitted lower commercial land use in the CPUD will be consistent with the existing and proposed land use patterns as explained in the staff report.

Con: The adjacent properties to the south and east are zoned Agriculture (A) and the property adjacent to the west is zoned Naples Lakes Country Club PUD a residential land use.

Findings: The decrease of intensity of retail and commercial units is deemed acceptable for this site because the amendment complies with the GMP and LDC requirements and is consistent with the existing and future land use pattern in the area.

**3. The possible creation of an isolated district unrelated to adjacent and nearby districts;**

Pro: The parcel will not result in an isolated district unrelated to adjacent and nearby districts because it is located within an Activity Center and is located within a close proximity of other approved commercial zoned properties.

Con: None

Findings: The proposed amendment is of sufficient size and is adjacent to commercially zoned properties; therefore, this CPUD will not create an isolated district. By virtue of its location within the Urban, Urban Commercial District, Mixed-Use Activity Center



Attachment: Attachment C - Rezone findings PUDA-2006-AR-10030 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

Subdistrict on the Future Land Use Map (FLUM) this CPUD is deemed consistent with the GMP and LDC.

**4. Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.**

Pro: The requested action will not change the subject site in relation to the nearby property boundaries.

Con: None

Findings: The CPUD boundaries are logically drawn and they are consistent with the Mixed-Use Activity Center Subdistrict, as identified on the FLUM of the GMP.

**5. Whether changed or changing conditions make the passage of the proposed amendment necessary.**

Pro: The request reasonable because is does not change the land use which continue to be in harmony with the surrounding area.

Con: The proposed rezone amendment is not obligatory at this location.

Findings: The rezone amendment is necessary because the project is decreasing its retail and commercial units to comply with Policy 5.1 and 5.2 of the Transportation Element which will make the CPUD consistent with the GMP.

**6. Whether the proposed change will adversely influence living conditions in the neighborhood;**

Pro: The proposed rezone amendment should not adversely influence living conditions in the neighborhood as the petition is consistent with existing uses and compatible with surrounding land use.

Con: Once the retail and commercial units are built it could cause an increase in noise and traffic impacts on the nearby residences. However, due to the relative small size of the site and the proposed preserve and buffer areas and the decrease of commercial intensity, the proposed amendment should not adversely impact the adjacent properties.

Findings: The proposed amendment has not changed its permitted land use and has been properly publicize to ensure the surrounding neighbors will be assured that the least amount of adverse impact on the adjacent developments have been addressed. In addition, the development standards and landscaping requirements contained in the LDC are intended to alleviate any adverse impact to the living conditions in this neighborhood if the proposed amendment is approved.

**7. Whether the proposed change will create or excessively increase traffic congestion or create types of traffic deemed incompatible with surrounding land uses, because of peak volumes or projected types of vehicular traffic, including activity during construction phases of the development, or otherwise affect public safety.**

Attachment: Attachment C - Rezone findings PUDA-2006-AR-10030 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

Pro: The rezoning should not create excessive traffic congestion or otherwise affect public safety as the GMP requires adequate access to and from the project and the effect on pedestrian and vehicular circulation and safety. Since the property fronts on a public road it provides an immediate access to the arterial road network.

Con: Urban intensification results in greater volumes of traffic on the local, arterial and collector road system serving the CPUD. Other projects dependent on the same street system may perceive this CPUD as one which will reduce their perceived comfort levels.

Findings: The Transportation Services Division has reviewed the proposed CPUD to the concurrency management system and had the developer incorporate improvements to the county roads to retain consistency with Policy 5.1 of the Traffic Element of the GMP.

**8. Whether the proposed change will create a drainage problem;**

Pro: The proposed change should not create drainage or surface water problems because the LDC and GMP have regulations in place that will ensure review for drainage on new developments.

Con: Staff will not determine if the new development will have drainage problems until the review of the development order.

Findings: Every project approved in Collier County involving the utilization of property for some land use activity is scrutinized and required to mitigate all sub-surface drainage generated by developmental activities as a conditions of approval. This project was reviewed for drainage relationships and design and construction plans are required to meet County standards and regulations.

**9. Whether the proposed change will seriously reduce light and air to adjacent areas;**

Pro: The CPUD conforms to the similar commercial development standards of the LDC which are designed to protect the circulation of light and air to adjacent areas.

Con: None

Findings: All projects in Collier County are subject to the development standards that apply generally and equally to all zoning districts and this project will be subject to those same standards.

**10. Whether the proposed change will adversely affect property values in the adjacent area;**

Pro: Typically urban intensification increases the value of underutilized land and the proposed amendment should not alter the property values nor should it decrease or overtax the load on public facilities.

Con: None

Findings: Property valuation is affected by a host of factors including zoning; however zoning by itself may or may not affect values, since value determination by law is driven by market value. The mere fact that a property is given a commercial zoning designation





Attachment: Attachment C - Rezone findings PUDA-2006-AR-10030 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

should not affect value because similar commercial zoning is permitted in the surrounding area.

**11. Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accordance with existing regulations;**

Pro: The LDC's criteria for review of each land use application to allow Planning Commission and Board of Commissioners to follow standardized review process which requires consistency of the GMP.

Con: None

Findings: The development of adjacent properties, in accordance with existing regulations, will not be affected if this rezone amendment is approved.

**12. Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasting with the public welfare;**

Pro: Land Use applications are subject to the public hearing process to assure that the rezone thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity in which the property is situated.

Con: None

Findings: The proposed amendment does not alter the permitted land uses which meet the terms of the land use designation of the Urban Commercial District, Mixed-Use Activity Center Subdistrict on the FLUM, which is a public policy statement supporting zoning actions when they are consistent with the entire GMP.

**13. Whether there are substantial reasons why the property cannot be used in accordance with existing zoning;**

Pro: The proposed amendment conforms to the FLUE of the GMP because it will be used in accordance with the existing commercial zoning.

Con: None

Findings: The property can not be developed in accordance with the existing zoning because the CPUD has sunsetted, however to deny the petitioner of the opportunity to develop would result in a legal land use taking which is unconstitutional as well not consistent with the goals and objectives of the GMP.

**14. Whether the change suggested is out of scale with the needs of the neighborhood or the County;**

Pro: The proposed amendment meets all objective criteria set forth for commercial zoning and conforms to the purpose and intent of the GMP and all its elements.

Con: None

Attachment: Attachment C - Rezone findings PUDA-2006-AR-10030 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

Findings: The proposed amendment is designed in a manner that is compatible with surrounding property in size and scale.

**15. Whether is it impossible to find other adequate sites in the County for the proposed use in districts already permitting such use.**

Pro: The proposed CPUD is consistent with the FLUM because it is in the Urban Commercial District, Mixed-Use Activity Center Subdistrict.

Con: None

Findings: There are many sites which are zoned to accommodate the proposed commercial development. This is not the determining factor when evaluating the appropriateness of a development. Each zoning petition is reviewed on its own merit for compliance with the GMP and the LDC; and staff does not review other sites in conjunction with a specific petition.

**16. The physical characteristics of the property and the degree of site alteration, which would be required to make the property usable for any of the range of potential uses under the proposed, zoning classification.**

Pro: The land use pattern should accommodate carefully planned levels of development, protect existing uses, safeguard the environment, reduce sprawl, promote efficient use of land, encourage alternative modes of transportation and help to maintain a sense of community.

Con: None

Findings: While site conditions may restrict the location and square-footage of the homes it would not render the property unusable. Physical alteration is a product of developing vacant land which cannot be avoided.

**17. The impact of development on the availability of adequate public facilities and services consistent with the levels of service adopted in the Collier County Growth Management Plan and as defined and implemented through the Collier County Adequate Public Facilities Ordinance, as amended.**

Pro: The proposed amendment meets all objective criteria set forth for commercial zoning and conforms to the purpose and intent of the GMP and all its elements.

Con: The GMP encourages but does not require the synchronizing of development with the availability of public facilities needed to support that development.

Findings: Staff reviews for adequacy of public services and levels of service determined that required infrastructure meets the GMP established relationships. Staff has reviewed this petition and found it consistent with all Elements of the GMP.

Attachment: Attachment C - Rezone findings PUDA-2006-AR-10030 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

# HEX NO. 2014 – 28

## HEARING EXAMINER DECISION

**PETITION NO. PDI-PL20140001187 – Petitioner, Wilton Land Company, LLC, requests an insubstantial change to Ordinance No. 07-30, the Hammock Park Commerce Centre Commercial Planned Unit Development, to add deviations to allow one off-premises directional sign with a maximum height of 13 feet and a maximum sign area of 38 square feet for the Hacienda Lakes MPUD/DRI at the southwest corner of the subject property. The subject property is located on the northeast corner of the intersection of Collier Boulevard (C.R. 951) and Rattlesnake Hammock Road in Section 14, Township 50 South, Range 26 East, Collier County, Florida.**

**DATE OF HEARING:** September 25, 2014

**STAFF RECOMMENDATION:** Approval.

**FINDINGS:**

Based on the applicant's written petition, testimony at the hearing of the applicant, and the recommendation of staff, the Hearing Examiner finds that the criteria set forth in Sections 10.02.13 E.1 and 10.02.13 E.2 of the Land Development Code has been met and the petition should be approved.

**DECISION:**

The Hearing Examiner hereby approves Petition Number PDI-PL20140001187, filed by Robert J. Mulhere, FAICP of Hole Montes, Inc. representing Wilton Land Company, LLC, with respect to the property described herein, for an insubstantial change to Ordinance No. 07-30, the Hammock Park Commerce Centre Commercial Planned Unit Development (CPUD), to add deviations to allow one off-premises directional sign with a maximum height of 13 feet and a maximum sign area of 38 square feet for the Hacienda Lakes MPUD/DRI at the southwest corner of the subject property. Said deviations are as described in the amendment to the Hammock Park Commerce Center CPUD document attached as Exhibit "A" and the sign elevations attached as Exhibit "B", and are subject to the condition(s) set forth below.

**ATTACHMENTS:** Exhibit A – Hammock Park Commerce Center CPUD amendment
Exhibit B – Sign Elevations

**LEGAL DESCRIPTION:** See Ordinance No. 07-30, the Hammock Park Commerce Center CPUD



Attachment: Attachment D - HEX 2014-28 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

**CONDITIONS:**

The applicant will provide an easement agreement with the owner of the Hacienda Lakes MPUD/DRI for their use of this off-premise sign prior to the issuance of the building permit for this sign.

**APPEALS:**

This decision becomes effective on the date it is rendered. Pursuant to Ordinance 2013-25, as amended, a Hearing Examiner Decision may be appealed to the Board of County Commissioners, Collier County. Appeals must be filed within 30 days of the date the Hearing Examiner Decision is rendered.

**RECORD OF PROCEEDINGS AND EXHIBITS: SEE CLERK OF COURT, MINUTES AND RECORDS DEPARTMENT. DECISIONS OF THE HEARING EXAMINER FOR VARIANCES, CONDITIONAL USES, AND BOAT DOCK EXTENSIONS SHALL BE NOTED ON THE ZONING MAP FOR INFORMATIONAL PURPOSES.**

10-2-2014
Date

Mark Strain, Hearing Examiner

Approved as to form and legality:

Scott A. Stone
Assistant County Attorney



Attachment: Attachment D - HEX 2014-28 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

**SECTION ONE:**

AMENDMENT TO THE COVER PAGE OF THE PUD DOCUMENT ATTACHED TO ORDINANCE NO. 07-30, HAMMOCK PARK COMMERCE CENTRE CPUD

The Cover Page of the PUD Document attached to Ordinance No. 07-30, Hammock Park Commerce Centre CPUD, is hereby amended to read as follows:

**PLANNED UNIT DEVELOPMENT DOCUMENT**

**FOR**

# HAMMOCK PARK COMMERCE CENTRE

# CPUD

A COMMERCIAL PLANNED UNIT DEVELOPMENT

PREPARED BY:

RWA, INC.
6610 WILLOW PARK DRIVE, SUITE 200
NAPLES, FLORIDA 34109

AND

ROETZEL AND ANDRESS
850 PARK SHORE DRIVE
TRIANON CENTRE-THIRD FLOOR
NAPLES, FLORIDA 34103

REVISED BY:

HOLE MONTES, INC.
950 ENCORE WAY
NAPLES, FLORIDA 34110

DATE APPROVED BY BCC: 1-27-2007
ORDINANCE NUMBER: 2007-30
REVISED _____

EXHIBIT A



Words underlined are added; words ~~struck through~~ are deletions
H:\2014\2014048\WP\PDI\Resubmittal\Hammock Park Commerce Centre PUD (PDI-PL-20140001187) (8-7-2014).docx

Attachment: Attachment D - HEX 2014-28 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

**SECTION TWO:**

AMENDMENT TO THE TABLE OF CONTENTS/LIST OF EXHIBITS PAGE OF THE PUD DOCUMENT ATTACHED TO ORDINANCE NO. 07-30, HAMMOCK PARK COMMERCE CENTRE CPUD

The Table of Contents Page of the PUD Document attached to Ordinance No. 07-30, Hammock Park Commerce Centre CPUD, is hereby amended to read as follows:

## HAMMOCK PARK COMMERCE CENTRE CPUD

### TABLE OF CONTENTS

**STATEMENT OF COMPLIANCE**

| | |
|---|---|
| **SECTION I** | Property Ownership & Description |
| **SECTION II** | Project Development |
| **SECTION III** | Community Commercial District |
| **SECTION IV** | Preserve Area |
| **SECTION V** | General Development Commitments |
| **SECTION VI** | Requested Deviations from the LDC |

### LIST OF EXHIBITS

| | |
|---|---|
| **EXHIBIT "A"** | PUD Master Plan |
| **EXHIBIT "A-1"** | Off-Premises Directional Sign Location |



Words underlined are added; words ~~struck-through~~ are deletions
H:\2014\2014048\WP\PDI\Resubmittal\Hammock Park Commerce Centre PUD (PDI-PL-20140001187) (8-7-2014).docx

Attachment: Attachment D - HEX 2014-28 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

**SECTION THREE:**

AMENDMENT TO SECTION II, PROJECT DEVELOPMENT, OF THE PUD DOCUMENT ATTACHED TO ORDINANCE NO. 07-30, HAMMOCK PARK COMMERCE CENTRE CPUD

Section II, entitled "Project Development," of the PUD Document attached to Ordinance No. 07-30, Hammock Park Commerce Centre CPUD, is hereby amended to read as follows:

**SECTION II**

**PROJECT DEVELOPMENT**

...

**2.6 SIGNS**

Signs shall be in accordance with the LDC, as amended, except as provided herein and under Section 6.1, "Sign Deviations."

A. One off-premises directional sign for the Hacienda Lakes PUD/DRI shall be permitted in the northeast quadrant of the intersection of C.R. 951 and Rattlesnake Hammock Road, as depicted and labeled per Exhibit A-1. This off-premises sign shall be allowed in addition to other signage allowed by the LDC. The off-premises sign shall contain only the name of the overall project and the insignia or motto of the entire development.

B. The off-premises directional sign for the Hacienda Lakes PUD/DRI shall be no greater than 13 feet in height, and total square footage of all sign copy areas (name of the project and insignias or mottos) shall not exceed 38 square feet (see Deviations #1 and #2 under Section 6.1, "Sign Deviations").





Attachment: Attachment D - HEX 2014-28 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

**SECTION FOUR:**

ADDITION OF SECTION VI, REQUESTED DEVIATIONS FROM THE LDC, TO THE PUD DOCUMENT ATTACHED TO ORDINANCE NO. 07-30, HAMMOCK PARK COMMERCE CENTRE CPUD

Section VI, entitled "Requested Deviations from the LDC," is hereby added to the PUD Document attached to Ordinance No. 07-30, Hammock Park Commerce Centre CPUD, as follows:

## SECTION VI

## REQUESTED DEVIATIONS FROM THE LDC

### 6.1 SIGN DEVIATIONS

A. Deviation #1 seeks relief from LDC Section 5.06.04.G.2.a to allow the off-premises directional sign for the Hacienda Lakes PUD/DRI depicted on Exhibit A-1 to have a maximum of 38 square feet in sign area (total square footage of all sign copy areas, including the name of the project and insignias or mottos), rather than 12 square feet as limited in the LDC.

B. Deviation #2 seeks relief from LDC Section 5.06.04.G.2.b to allow the off-premises directional sign for the Hacienda Lakes PUD/DRI depicted on Exhibit A-1 to have a maximum height of 13 feet above the lowest center grade of the roadway adjacent to the sign location, rather than 8 feet as limited in the LDC.





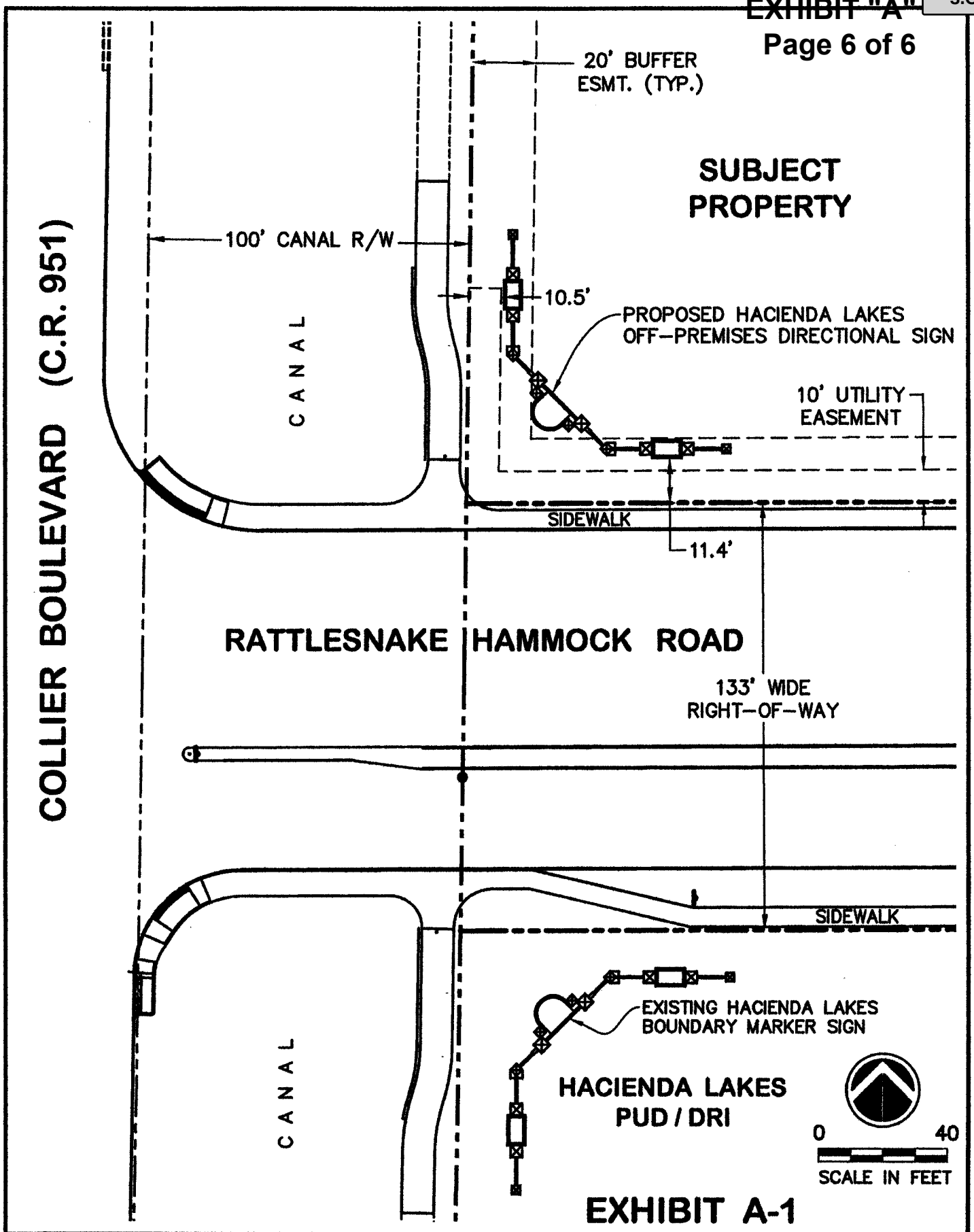
Attachment: Attachment D - HEX 2014-28 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

**SECTION FIVE:**

ADDITION OF EXHIBIT A-1, OFF-PREMISES DIRECTIONAL SIGN LOCATION, TO THE PUD DOCUMENT ATTACHED TO ORDINANCE NO. 07-30, HAMMOCK PARK COMMERCE CENTRE CPUD

Exhibit A-1, labeled "Off-Premises Directional Sign Location," attached hereto and incorporated herein, is hereby added to the PUD Document attached to Ordinance No. 07-30, Hammock Park Commerce Centre CPUD

Attachment: Attachment D - HEX 2014-28 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)




# EXHIBIT A-1

HOLE MONTES
ENGINEERS·PLANNERS·SURVEYORS
950 Encore Way
Naples, FL 34110
Phone: (239) 254-2000
Florida Certificate of Authorization No.1772

**OFF-PREMISES DIRECTIONAL SIGN LOCATION**

| | |
|---|---|
| CHECKED BY : R.M. | PROJECT No. 2014.048 |
| DRAWN BY : JON | CAD FILE NAME: EXH_A1 |
| DATE : 05/2014 | EXHIBIT - ITEM A-1 |

Attachment: Attachment D - HEX 2014-28 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

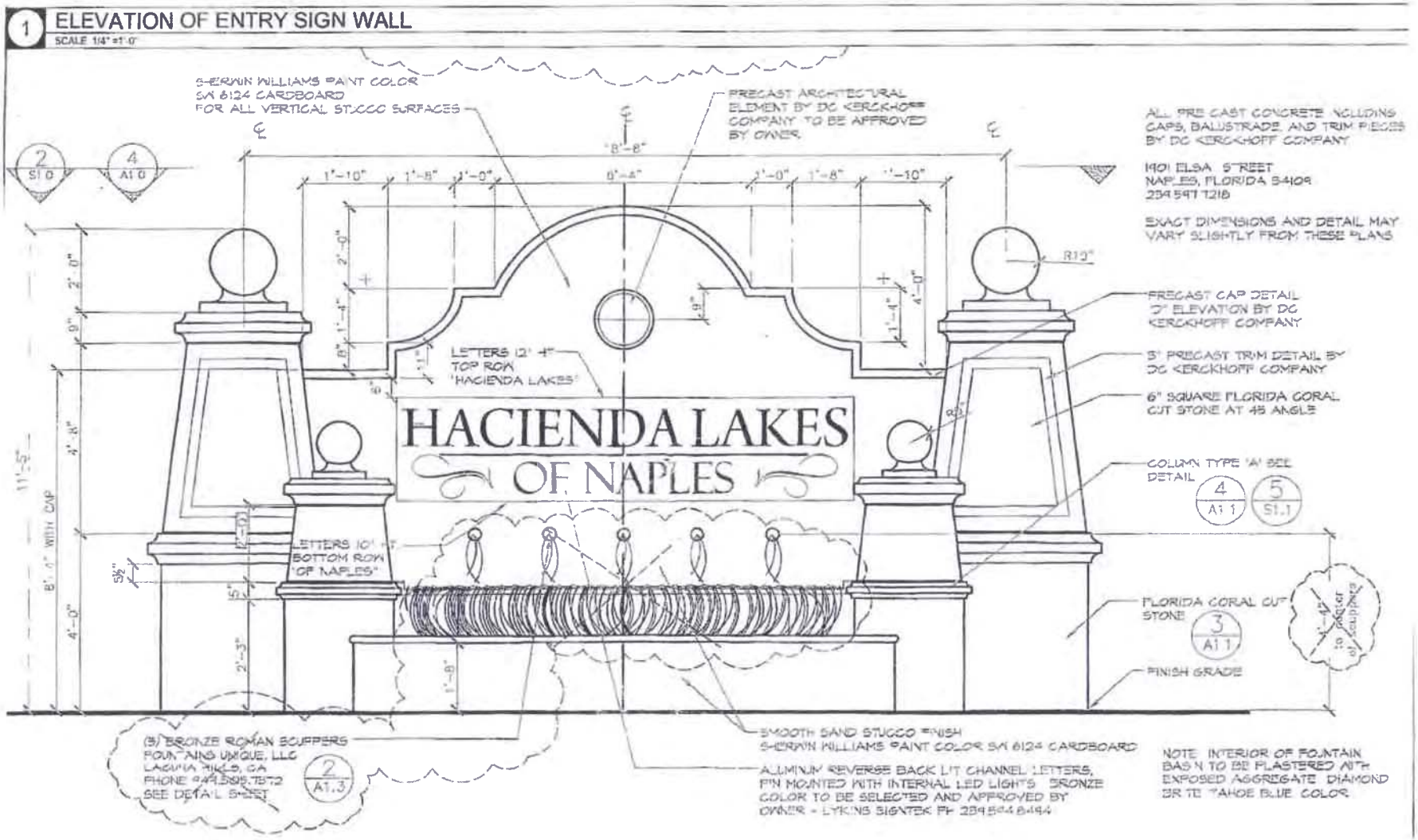
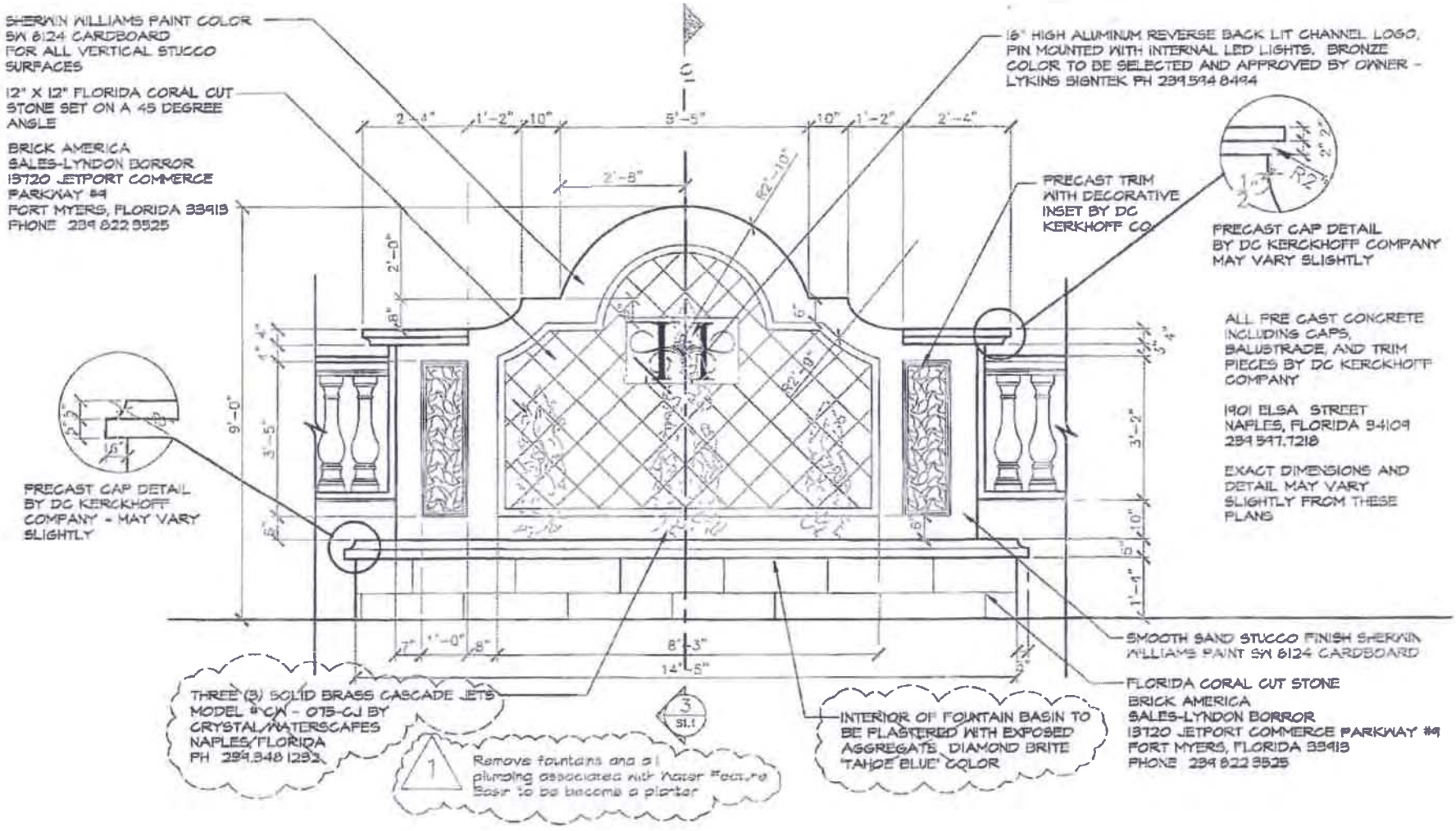



**EXHIBIT "B"**
**Page 1 of 2**

Attachment: Attachment D - HEX 2014-28 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)




3 ELEVATION OF EMBLEM WALL WATER FEATURE

SCALE: 1/2" = 1'-0"

**EXHIBIT "B"**
**Page 2 of 2**

Attachment: Attachment D - HEX 2014-28 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

# HEX NO. 2016 – 42

## HEARING EXAMINER DECISION

**PETITION NO. PDI-PL20160002044 – Wilton Land Company, LLC requests an insubstantial change to Ordinance No. 2007-30, as amended, the Hammock Park Commerce Centre CPUD, to reduce the minimum perimeter PUD setback for accessory uses to 10 feet, and to add a deviation to allow accessory structures to be constructed prior to the construction of a principal use, only for two proposed accessory tower structures located along the western PUD boundary as depicted on Exhibit C-1 and further shown on Exhibit C-2. The subject property is located on the northeast corner of Rattlesnake Hammock Road and Collier Boulevard intersection, in Section 14, Township 50 South, Range 26 East, Collier County, Florida, consisting of 18.99± acres.**

**DATE OF HEARING:** December 8, 2016

**STAFF RECOMMENDATION:** Approval.

**FINDINGS:**

Based on the applicant's written petition, testimony at the hearing of the applicant and the public, and the recommendation of staff, the Hearing Examiner finds that the criteria set forth in Sections 10.02.13 E.1 and 10.02.13 E.2 of the Land Development Code has been met and the petition should be approved.

**ANALYSIS:**

One member of the public, who stated they are one of the owners of a PUD to the north directly abutting this PUD, addressed a concern that the northernmost tower might be too close to the proposed shared access bridge over the western canal. The applicant stated they had taken the access location into consideration when positioning the tower.

At the Neighborhood Information Meeting (NIM) the applicant responded to a question from a member of the public indicating there would be no signs or lighting on the towers except for landscape up lighting. After the NIM the applicant clarified to the member of the public who requested this information, that tower lighting would be limited to landscape up lighting and soffit down lighting. There were no members of the public present objecting to this application.

Attachment: Attachment E - HEX 2016-42 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

**DECISION:**

The Hearing Examiner hereby approves Petition Number PDI-PL20160002044, filed by Alexis Crespo, AICP, of Waldrop Engineering, representing Wilton Land Company, LLC, with respect to the property as described in the Hammock Park Commerce Centre CPUD, Ordinance No. 07-30, as amended, for the following insubstantial changes:

- to reduce the minimum perimeter PUD setback for accessory uses to 10 feet for two proposed accessory tower structures; and
- to add a deviation to allow accessory structures to be constructed prior to the construction of a principal use for two proposed accessory tower structures.

Said changes are fully described in the Hammock Park Commerce Centre CPUD amendment attached as Exhibit "A", and are subject to the condition(s) set forth below.

**ATTACHMENTS:** Exhibit A – CPUD Amendment

**LEGAL DESCRIPTION:** See Ordinance No. 07-30, as amended, the Hammock Park Commerce Centre CPUD.

**CONDITIONS:**

1. All other applicable state or federal permits must be obtained before commencement of the development.
2. Signage on either tower is prohibited.
3. Lighting on both towers is limited to architectural down lighting in the soffits and landscape up lighting at the base of the tower(s).
4. The northern-most tower will be placed a minimum of seventy-five (75) feet from the north PUD property line. The tower location must also meet the clear sight distance standards of LDC 6.06.05.

**DISCLAIMER:**

Pursuant to Section 125.022(5) F.S., issuance of a development permit by a county does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the county for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

**APPEALS:**

This decision becomes effective on the date it is rendered. Pursuant to Ordinance 2013-25, as amended, a Hearing Examiner Decision may be appealed to the Board of County Commissioners or the Board of Zoning Appeals, as appropriate. Appeals must be filed within 30 days of the date the Hearing Examiner Decision is rendered.



Attachment: Attachment E - HEX 2016-42 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

**RECORD OF PROCEEDINGS AND EXHIBITS: SEE CLERK OF COURT, MINUTES AND RECORDS DEPARTMENT. DECISIONS OF THE HEARING EXAMINER FOR VARIANCES, CONDITIONAL USES, AND BOAT DOCK EXTENSIONS SHALL BE NOTED ON THE ZONING MAP FOR INFORMATIONAL PURPOSES.**

12-14-2017
Date

Mark Strain, Hearing Examiner

Approved as to form and legality:

Scott A. Stone
Assistant County Attorney

Attachment: Attachment E - HEX 2016-42 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

AMENDMENT TO TABLE OF CONTENTS/LIST OF EXHIBITS, OF THE PUD DOCUMENT ATTACHED TO ORDINANCE NO. 07-30, HAMMOCK PARK COMMERCE CENTRE CPUD, AS AMENDED.

Table of Contents/List of Exhibits, of the PUD Document attached to Ordinance No. 07-30, Hammock Park Centre Commerce CPUD, as amended, is hereby amended as follows:

**HAMMOCK PARK COMMERCE CENTRE CPUD**

**TABLE OF CONTENTS**

**STATEMENT OF COMPLIANCE**

**SECTION I** Property Ownership & Description

**SECTION II** Project Development

**SECTION III** Community Commercial District

**SECTION IV** Preserve Area

**SECTION V** General Development Commitments

**SECTION VI** Requested Deviations from the LDC

**LIST OF EXHIBITS**

**EXHIBIT "A"** PUD Master Plan

**EXHIBIT "A-1"** Off-Premises Directional Sign Location

**EXHIBIT "C-1"** Tower Locations

**EXHIBIT "C-2"** Tower Renderings

* * * * * * * * * * * * *

Attachment: Attachment E - HEX 2016-42 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

AMENDMENT TO SECTION III, COMMUNITY COMMERCIAL DISTRICT, OF THE PUD DOCUMENT ATTACHED TO ORDINANCE NO. 07-30, HAMMOCK PARK COMMERCE CENTRE CPUD, AS AMENDED.

Section III, Community Commercial District, of the PUD Document attached to Ordinance No. 07-30, Hammock Park Centre Commerce CPUD, as amended, is hereby amended as follows:

**SECTION III**

**COMMUNITY COMMERCIAL DISTRICT**

* * * * * * * * * * * * *

**3.5 DEVELOPMENT STANDARDS**

* * * * * * * * * * * * *

L. The two accessory tower structures described in Deviation 3 shall have a minimum PUD perimeter setback of ten (10) feet, and maximum actual height of thirty (30) feet for the southern tower and maximum actual height of fifteen (15) feet for the northern most tower.

* * * * * * * * * * * *

Attachment: Attachment E - HEX 2016-42 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

AMENDMENT TO SECTION VI, REQUESTED DEVIATIONS FROM THE LDC, OF THE PUD DOCUMENT ATTACHED TO ORDINANCE NO. 07-30, HAMMOCK PARK COMMERCE CENTRE CPUD, AS AMENDED.

Section VI, Requested Deviations from the LDC, of the PUD Document attached to Ordinance No. 07-30, Hammock Park Centre Commerce CPUD, as amended, is hereby amended as follows:

* * * * * * * * * * * * *

**SECTION VI**

**REQUESTED DEVIATIONS FROM THE LDC**

6.1 ~~SIGN~~ DEVIATIONS

A. Deviation #1 seeks relief from LDC Section 5.06.04.G.2.a to allow the off-premises directional sign for the Hacienda Lakes PUD/DRI depicted on Exhibit A-1 to have a maximum of 38 square feet in sign area (total square footage of all sign copy areas, including the name of the project and insignias or mottos), rather than 12 square feet as limited in the LDC.

B. Deviation #2 seeks relief from LDC Section 5.06.04.G.2.b to allow the off-premises directional sign for the Hacienda Lakes PUD/DRI depicted on Exhibit A-1 to have a maximum height of 13 feet above the lowest center grade of the roadway adjacent to the sign location, rather than 8 feet as limited in the LDC.

C. Deviation #3 seeks relief from LDC Section 4.02.03.A, which requires accessory structures to be constructed simultaneously with or following the construction of the principal structure, to instead allow accessory structures to be constructed prior to construction of the principal structure. This deviation shall apply only to the two (2) accessory tower structures at the location depicted on Exhibit C-1, “Tower Locations,” and further shown on Exhibit C-2, “Tower Renderings.”

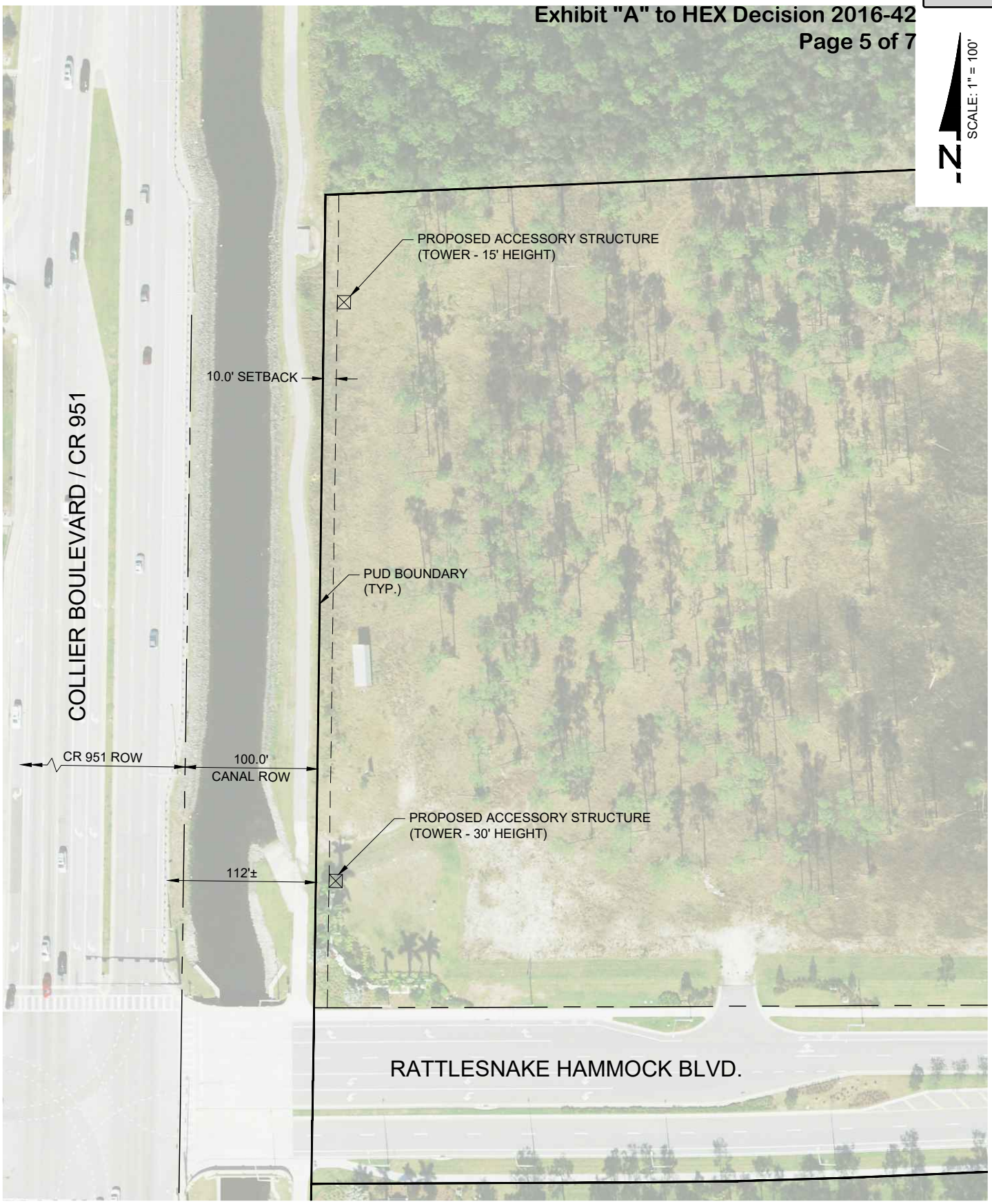
* * * * * * * * * * * * *

Attachment: Attachment E - HEX 2016-42 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

EXHIBIT C-1, TOWER LOCATIONS, IS HEREBY ADDED TO THE PUD DOCUMENT ATTACHED TO ORDINANCE NO. 07-30, HAMMOCK PARK COMMERCE CENTRE CPUD, AS AMENDED.

Exhibit C-1, entitled "Tower Locations", attached hereto and incorporated herein by reference, is hereby added to the PUD Document attached to Ordinance No. 07-30, Hammock Park Commerce Centre CPUD, as amended.

Attachment: Attachment E - HEX 2016-42 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)




Attachment: Attachment E - HEX 2016-42 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

HAMMOCK PARK PDI

EXHIBIT C-1 "TOWER LOCATIONS"

PREPARED FOR:

HACIENDA LAKES, LLC / TOLL BROTHERS

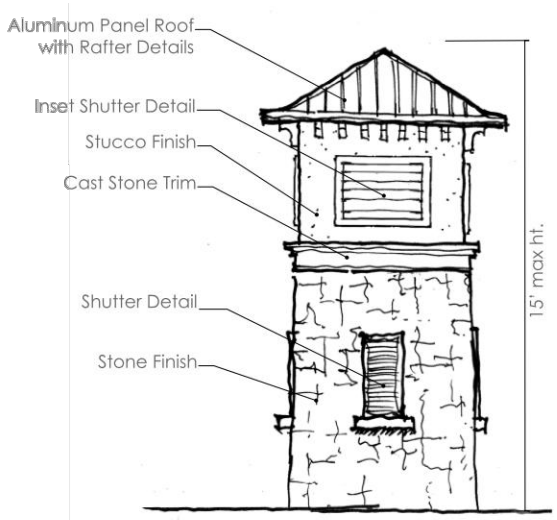
WALDROP ENGINEERING
CIVIL ENGINEERING | PLANNING | LANDSCAPE ARCHITECTU
28100 BONITA GRANDE DRIVE - SUITE 305
BONITA SPRINGS, FL 34135
P: 239-405-7777 F: 239-405-7899
EMAIL: info

B:\Projects\549-02 (Hacienda Lakes DRI) Entry Signage Permitting\Drawings-Exhibits\549-02-E01 DRI Signage Exhibit\Current Plans\54902E0101.dwg

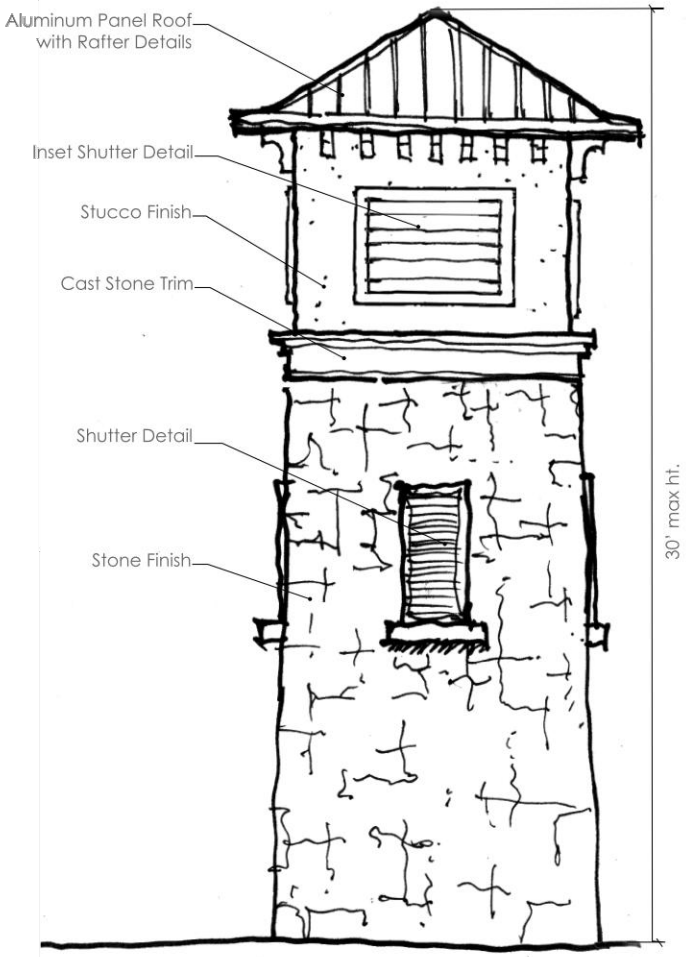
EXHIBIT C-2, TOWER RENDERINGS, IS HEREBY ADDED TO THE PUD DOCUMENT ATTACHED TO ORDINANCE NO. 07-30, HAMMOCK PARK COMMERCE CENTRE CPUD, AS AMENDED.

Exhibit C-2, entitled "Tower Renderings", attached hereto and incorporated herein by reference, is hereby added to the PUD Document attached to Ordinance No. 07-30, Hammock Park Commerce Centre CPUD, as amended.

Attachment: Attachment E - HEX 2016-42 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)




Secondary Tower Concept




30' Tower Concept

*DESIGNS ARE SUBJECT TO CHANGE AT TIME OF APPROVAL

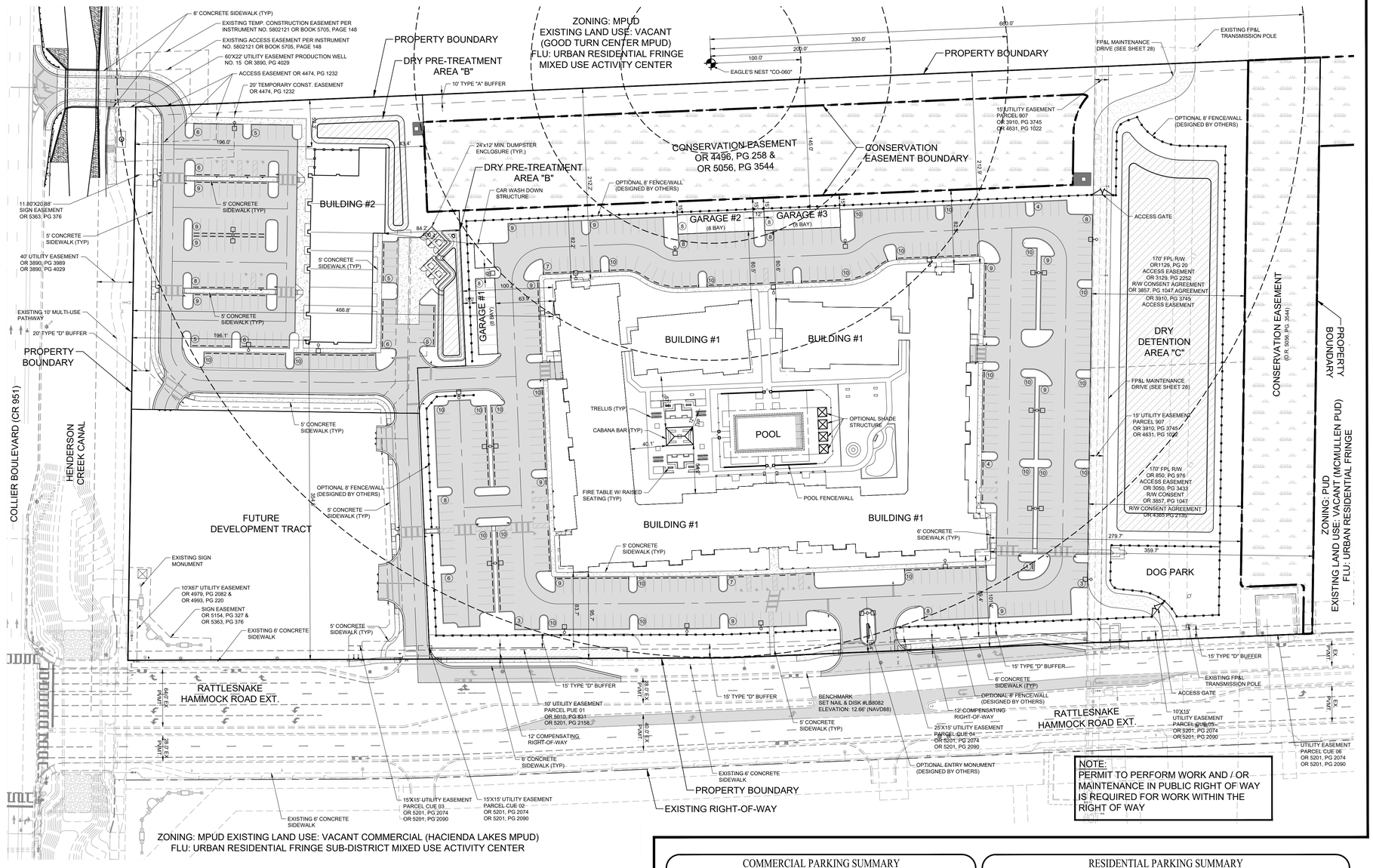
HAMMOCK PARK PDI
EXHIBIT C-2 "TOWER RENDERINGS"

PREPARED FOR:
HACIENDA LAKES, LLC / TOLL BROTHERS

WALDROP ENGINEERING
CIVIL ENGINEERING | PLANNING | LANDSCAPE ARCHITECTU
28100 BONITA GRANDE DRIVE - SUITE 305
BONITA SPRINGS, FL 34135
P: 239-405-7777 F: 239-405-7899
EMAIL: inf

Attachment: Attachment E - HEX 2016-42 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

B:\Projects\549-02 (Hacienda Lakes DRI) Entry Signage Permitting\Drawings-Exhibits\549-02-E01 DRI Signage Exhibit\Current Plans\54902E0102.dwg




## HATCH LEGEND

- ASPHALT PAVEMENT
- CONCRETE SIDEWALK
- DRY DETENTION AREA
- EXISTING PRESERVE AREA
- FP&L DRIVE

NOTE: DEVELOPER/OWNER RESERVES THE RIGHT TO REPLACE CONCRETE WITH PAVERS, PAVERS WITH CONCRETE, PAVERS WITH ASPHALT, OR ASPHALT WITH PAVERS

## HAMMOCK PARK MPUD (ORDINANCE # 2020-039) COMMERCIAL DEVELOPMENT STANDARDS

**3.4 DEVELOPMENT STANDARDS (COMMERCIAL)**

A. MINIMUM LOT AREA: TEN THOUSAND (10,000) SQUARE FEET.
B. MINIMUM LOT WIDTH: ONE HUNDRED (100) FEET.
C. MINIMUM YARD REQUIREMENTS:
1. FRONT YARD: TWENTY-FIVE (25) FEET.
2. SIDE YARD: ZERO FOR COMMON OR ABUTTING WALLS, OTHERWISE ONE-HALF THE HEIGHT OF THE BUILDING, BUT NOT LESS THAN TEN (10) FEET.
3. REAR YARD: TWENTY (20) FEET.
4. PRESERVE: TWENTY-FIVE (25) FEET (PRINCIPAL); TEN (10) FEET (ACCESSORY)
D. DISTANCE BETWEEN PRINCIPAL STRUCTURES: THE DISTANCE BETWEEN ANY TWO PRINCIPAL STRUCTURES ON THE SAME PARCEL SHALL BE FIFTEEN (15) FEET OR A DISTANCE EQUAL TO ONE HALF THE SUM OF THEIR HEIGHTS, WHICHEVER IS GREATER.
E. MINIMUM FLOOR AREA OF PRINCIPAL STRUCTURE: SEVEN HUNDRED (700) SQUARE FEET PER BUILDING ON THE GROUND FLOOR.
F. LANDSCAPING AND OFF-STREET PARKING SHALL BE IN ACCORDANCE WITH THE LDC, AS AMENDED.
G. MAXIMUM HEIGHT: FIFTY (50) FEET.
H. GENERAL APPLICATION FOR SETBACKS: FRONT YARD SETBACKS SHALL COMPLY WITH THE FOLLOWING:
1. IF THE PARCEL IS SERVED BY A PUBLIC OR PRIVATE RIGHT-OF-WAY, THE SETBACK IS MEASURED FROM THE ADJACENT RIGHT-OF-WAY LINE.
2. IF THE PARCEL IS SERVED BY A NON-PLATTED PRIVATE DRIVE, THE SETBACK IS MEASURED FROM THE BACK OF CURB OR EDGE OF PAVEMENT.
3. IF THE PARCEL IS SERVED BY A PLATTED PRIVATE DRIVE, THE SETBACK IS MEASURED FROM THE ROAD EASEMENT OR PROPERTY LINE.
I. ALL BUILDINGS, LANDSCAPING AND VISIBLE INFRASTRUCTURES SHALL BE ARCHITECTURALLY AND AESTHETICALLY UNIFIED. SAID UNIFIED ARCHITECTURAL THEME SHALL INCLUDE A SIMILAR ARCHITECTURAL DESIGN AND SIMILAR USE OF MATERIALS AND COLORS ON ALL OF THE BUILDINGS TO BE ERECTED ON SITE.

LANDSCAPING AND STREETSCAPE MATERIALS SHALL ALSO BE SIMILAR IN DESIGN THROUGHOUT THE SITE. A CONCEPTUAL LANDSCAPE PLAN FOR THE ENTIRE SITE SHALL BE SUBMITTED CONCURRENT WITH THE FIRST APPLICATION FOR SITE DEVELOPMENT PLAN APPROVAL.

J. OUTSIDE STORAGE OR DISPLAY OF MERCHANDISE IS PROHIBITED UNLESS IT IS ANCILLARY TO A PERMITTED USE AND SCREENED FROM VIEW FROM ADJACENT PUBLIC ROADWAYS. OUTSIDE STORAGE MAY BE APPROVED BY THE COUNTY MANAGER, OR HIS DESIGNEE, AS PART OF THE APPROVAL OF AN SDP.
K. THE FP&L EASEMENT MAY BE USED FOR ANCILLARY USES SUCH AS PARKING, STORAGE, SERVICE DRIVES, AND WATER MANAGEMENT, PROVIDED WRITTEN AUTHORIZATION FOR THOSE USES IS OBTAINED FROM FP&L AND SUBMITTED WITH THE APPLICATION FOR SDP.
L. THE TWO ACCESSORY TOWER STRUCTURES DESCRIBED IN DEVIATION 3 SHALL HAVE A MINIMUM PUD PERIMETER SETBACK OF TEN (10) FEET, AND A MAXIMUM ACTUAL HEIGHT OF THIRTY (30) FEET FOR THE SOUTHERN TOWER AND MAXIMUM ACTUAL HEIGHT OF FIFTEEN (15) FEET FOR THE NORTHERN MOST TOWER.[1]

## HAMMOCK PARK MPUD (ORDINANCE # 2020-039) RESIDENTIAL DEVELOPMENT STANDARDS

| PRINCIPLE STRUCTURES | MULTI-FAMILY REQUIRED |
|---|---|
| MINIMUM LOT AREA | 1 ACRE |
| MINIMUM LOT WIDTH | N/A |
| MINIMUM LOT DEPTH | N/A |
| FRONT YARD (1) | 10 FEET |
| SIDE YARD | 5 FEET |
| MIN. LAKE MAINTENANCE EASEMENT TRACT SETBACK | 0 FEET |
| MIN. SETBACK FROM FPL EASEMENT | 0 FEET |
| MIN. PUD BOUNDARY SETBACK | 25 FEET |
| MINIMUM DISTANCE BETWEEN BUILDINGS | 20 FEET |
| REAR YARD | 10 FEET |
| PRESERVE | 25 FEET |
| MAXIMUM HEIGHT (ACTUAL) | 60 FEET |
| MAXIMUM HEIGHT (ZONED) | 50 FEET |
| **ACCESSORY STRUCTURES** | **MULTI-FAMILY REQUIRED** |
| FRONT YARD | SPS |
| SIDE YARD | SPS |
| REAR YARD | 5 FEET |
| PRESERVE | 10 FEET |
| MAXIMUM HEIGHT (ACTUAL) | SPS |
| MAXIMUM HEIGHT (ZONED) | SPS |

FOOTNOTES:
(1) FRONT SETBACK IS MEASURED FROM THE EDGE OF PAVEMENT OR BACK OF CURB EXCEPT FOR PUBLIC ROADS.

GENERAL: EXCEPT AS PROVIDED FOR HEREIN, ALL CRITERIA SET FORTH BELOW SHALL BE UNDERSTOOD TO BE IN RELATION TO INDIVIDUAL PARCEL OR LOT BOUNDARY LINES, OR BETWEEN STRUCTURES. PROPERTY OWNERS' ASSOCIATION BOUNDARIES SHALL NOT BE UTILIZED FOR DETERMINING DEVELOPMENT STANDARDS.

## BUILDING HEIGHT SUMMARY

| BUILDING NUMBER | PRINCIPAL STRUCTURES MAX. ZONED HEIGHT REQ. | PROV | MAX. ACTUAL HEIGHT REQ. | PROV |
|---|---|---|---|---|
| BLDG #1 | 50' | 50' | 60' | 58' |
| BLDG #2 | N/A | N/A | 50' | 33' 4" |
| ACCESSORY STRUCTURES | | | | |
| GARAGE #1 | 50' | 11' 11" | 60' | 16' 11" |
| GARAGE #2 | 50' | 11' 11" | 60' | 16' 11" |
| GARAGE #3 | 50' | 11' 11" | 60' | 16' 11" |

## MULTI-FAMILY UNIT SUMMARY

| UNIT TYPE | REQUIRED # OF UNITS | # OF UNITS PROVIDED | TOTAL # OF UNITS | MAX # OF UNITS |
|---|---|---|---|---|
| STANDARD | N/A | 217 | 265 | 265 |
| ESP* | 48 | 48 | | |

* EMERGENCY SERVICE PERSONNEL

## COMMERCIAL PARKING SUMMARY

| USE | NUMBER OF UNITS | | PARKING* SUPPLY RATE | REQ'D.PARKING DEMAND | PROVIDED PARKING |
|---|---|---|---|---|---|
| RETAIL | 11,088 SF | | 1/250 SF | 44 | 44 |
| RESTAURANT | 3,400 SF | A/C | 1/60 SF | 57 | 44 |
| | 1,620 SF | OUTDOOR | 1/250SF | 7 | 44 |
| TOTAL | | | | 108 | 108 |
| HANDICAPPED (INCLUSIVE) | | | | 5 | 6 |

## RESIDENTIAL PARKING SUMMARY

| TYPE OF UNIT | NUMBER OF UNITS | PARKING* SUPPLY RATE | REQ'D.PARKING DEMAND | PROVIDED PARKING |
|---|---|---|---|---|
| STUDIO | 46 | 1.22/UNIT | 57 | 57 |
| 1 BEDROOM | 79 | 1.22/UNIT | 97 | 98 |
| 2 BEDROOM | 96 | 1.80/UNIUT | 173 | 174 |
| 3 BEDROOM | 44 | 1.80/UNIT | 80 | 81 |
| UNIT SUB-TOTALS | 265 | -- | 407 | 410 |

| OTHER RESIDENTIAL USES | AREA | PARKING INTENSITY | REQ'D.PARKING DEMAND | PROVIDED PARKING |
|---|---|---|---|---|
| LEASING OFFICE | 724 SF | 1/300 SF | 3 | 1 |
| INDOOR REC FACILITY | 4,234 SF | 1/100 SF | 43 | 11 |
| POOL | 2,500 SF | 1/75 SF (1ST 1000 SF) 1/125 FOR EACH ADD SF | 26 | 7 |
| SUB TOTAL | --- | --- | 72 | |
| SUB TOTAL** | --- | --- | 18 | 19 |
| RESIDENTIAL TOTAL | --- | --- | 425 | 429 |

* PARKING SUPPLY RATE FROM THE HAMMOCK PARK APARTMENTS ADMINISTRATIVE PARKING REDUCTION (APR) APPLICATION (PL20200002552) PREPARED BY TREBILCOCK CONSULTING SOLUTIONS.

**25% OF TOTAL PROVIDED FOR BY LDC 4.05.04

***HANDICAPPED (INCLUSIVE) PER LDC 4.05.07 — RATE: 401-500 SPOTS; REQUIRED: 9; PROVIDED: 12

## OPEN SPACE SUMMARY

| TOTAL AREA | REQUIRED % | REQUIRED AREA | PROVIDED PERVIOUS | PROVIDED % |
|---|---|---|---|---|
| 19.13 AC | 30.0% | 5.74 AC | 9.84 AC | 51.4 % |

NOTE: OPEN SPACE PROVIDED AREA ACCOUNTS FOR PERVIOUS AREAS WITHIN THE FUTURE DEVELOPMENT TRACT, BASED ON THE PRELIMINARY SITE PLAN FOR THE FUTURE DEVELOPMENT TRACT. PROVIDED OPEN SPACE SUBJECT TO CHANGE BASED ON SITE PLAN REVISIONS AND FUTURE APPLICATIONS. THE ENTIRE MPUD AREA APPLICANT WILL PROVIDE A MINIMUM OF 5.74 AC OF OPEN SPACE AT BUILD-OUT. ADDITIONAL AREAS LISTED IS NOT REQUIRED TO REMAIN.

## SETBACK SUMMARY

| BUILDING NUMBER | FRONT SETBACK REQ. | PROV | SIDE SETBACK REQ. | PROV | REAR SETBACK REQ. | PROV | PRESERVE SETBACK REQ. | PROV | PUD BNDY SETBACK REQ. | PROV | DISTANCE BETWEEN STR'S REQ. | PROV |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| PRINCIPAL STRUCTURES | | | | | | | | | | | | |
| BLDG #1 | 10' | 83.7' | 5' | 359.7' | 10' | 212.2' | 25' | 82.2' | 25' | 95.7' | 20' | 63.9' |
| BLDG #2 | 25' | 196.0' | 20' | 52.3' | 20' | 43.4' | 25' | 43.4' | N/A | 52.3' | 25' | N/A |
| ACCESSORY STRUCTURES | | | | | | | | | | | | |
| GARAGE #1 | N/A | N/A | 5' | 206.5' | 10' | 15.0' | 10' | 76.5' | N/A | N/A | 10' | 11.8' |
| GARAGE #2 | N/A | N/A | 5' | 241.9' | 10' | 145.0' | 10' | 15.0' | N/A | N/A | 10' | 12.0' |
| GARAGE #3 | N/A | N/A | 5' | 338.2' | 10' | 145.0' | 10' | 15.0' | N/A | N/A | 10' | 12.0' |

## MF DENSITY SUMMARY

| TOTAL AREA | MULTI-FAMILY UNIT COUNT | DWELLING UNIT/ACRE |
|---|---|---|
| 19.13 AC | 265 | 13.85 |

## NATIVE VEG SUMMARY

| REQUIRED AREA | EXISTING ON-SITE AREA | AREA PRESERVED |
|---|---|---|
| 1.63 AC | 7.14 AC | 2.72 AC |

## COMMERCIAL SF TRACKING

| BUILDING NUMBER | RESTAURANT FLOOR AREA | COMMERCIAL FLOOR AREA | TOTAL COMM. FLOOR AREA |
|---|---|---|---|
| BLDG #1 | 0 SF | 0 SF | 0 SF |
| BLDG #2 | 5,020 SF | 11,088 SF | 16,108 SF |
| REQUIRED | 5,000 SF | N/A | 20,000 SF |
| REMAINING | 0 SF | N/A | 3,892 SF |

VERTICAL ELEVATIONS BASED ON: NAVD - 88

WALDROP ENGINEERING
CIVIL ENGINEERING & LAND DEVELOPMENT CONSULTANTS
28100 BONITA GRANDE DRIVE - SUITE 305 BONITA SPRINGS, FL 34135
P: 239-405-7777 F: 239-405-7599 EMAIL: info@waldropengineering.com

SITE DEVELOPMENT PLANS

# HAMMOCK PARK

CLIENT: HAMMOCK PARK APARTMENTS, LLC.

MASTER SITE PLAN & ZONING DATA SHEET

PLAN REVISIONS

REV00 <<SUBMITTED / BID SET>> XX/XX/XX

0 ## ## ###
SCALE IN FEET

FLORIDA CERTIFICATE OF AUTHORIZATION #8636

LUKE C. SCHULTHEIS, P.E.
FL LICENSE NO. 85518

SET NUMBER: 881-200-02

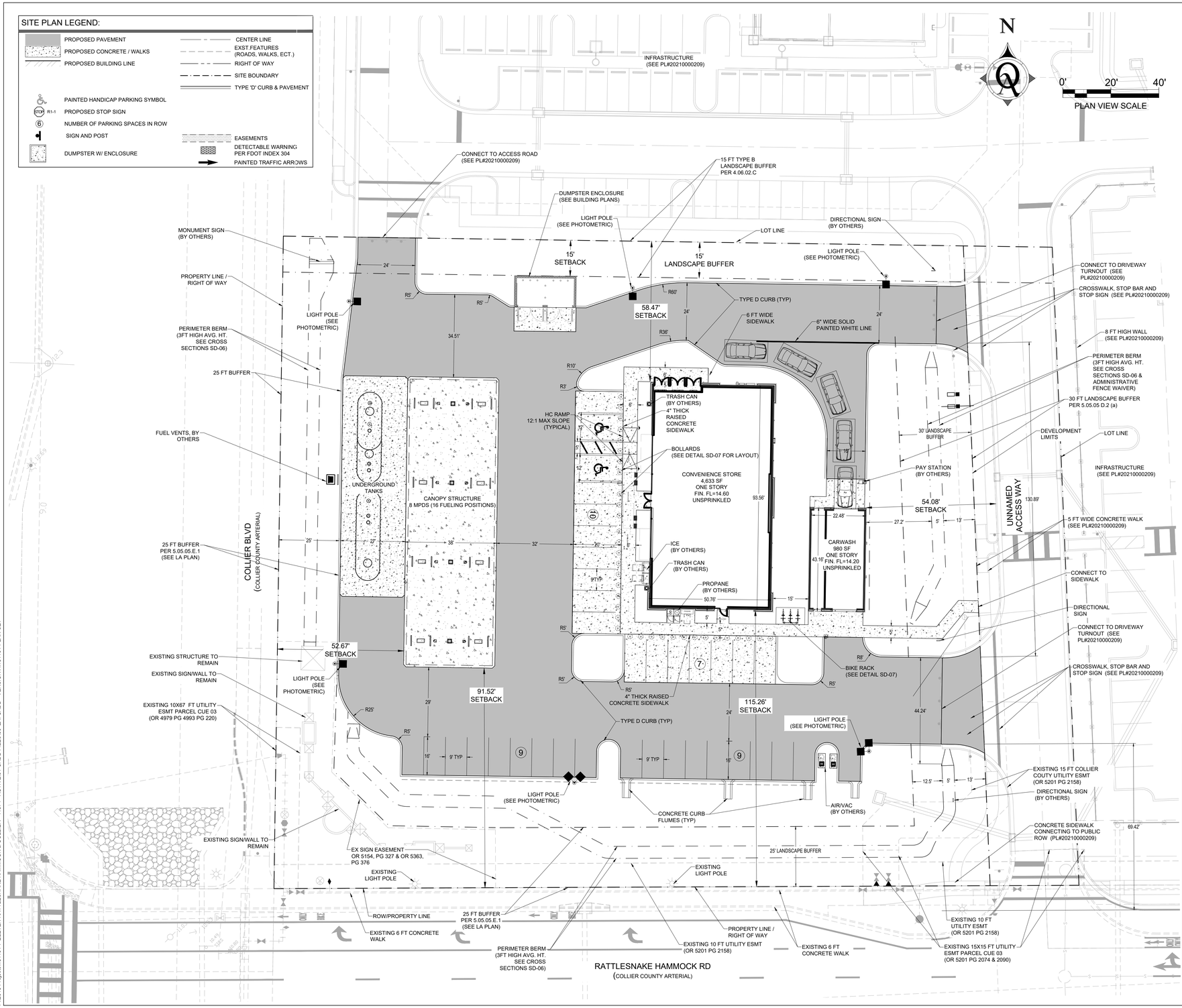
SHEET : 5

B:\Projects\881-200 (Hammock Park) Entry Road SDP\Drawings\Exhibits\881-200-02 - SDP(Current Plans\881020002O5.dwg
2/8/2021 1:10:54 PM

Attachment: Attachment F - Preliminary Site Development Plans and 7-Eleven Sign Site Plan (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

## SITE PLAN LEGEND:

- PROPOSED PAVEMENT
- PROPOSED CONCRETE / WALKS
- PROPOSED BUILDING LINE
- CENTER LINE
- EXST.FEATURES (ROADS, WALKS, ECT.)
- RIGHT OF WAY
- SITE BOUNDARY
- TYPE 'D' CURB & PAVEMENT
- PAINTED HANDICAP PARKING SYMBOL
- R1-1 PROPOSED STOP SIGN
- NUMBER OF PARKING SPACES IN ROW
- SIGN AND POST
- DUMPSTER W/ ENCLOSURE
- EASEMENTS
- DETECTABLE WARNING PER FDOT INDEX 304
- PAINTED TRAFFIC ARROWS




## LAND USE BREAKDOWN:

| | | | | |
|---|---|---|---|---|
| TOTAL DEVELOPMENT AREA | 78,328 SF | 1.80 AC. | | |
| BUILDING AREA | 5,613 SF | 0.13 AC. | 7.17% | |
| ASPHALT PAVEMENT AREA | 24,250 SF | 0.56 AC. | | |
| CONCRETE PAVEMENT AREA (INCLUDING CANOPIES) | 10,947 SF | 0.25 AC. | | |
| CONCRETE SIDEWALK | 2,006 SF | 0.05 AC. | | |
| TOTAL PERVIOUS AREA | 35,512 SF | 0.82 AC. | | 45.34% |
| TOTAL IMPERVIOUS AREA | 42,816 SF | 0.98 AC. | 54.66% | |

## PARKING CALCULATION:

CONVENIENCE STORE = 4,633 SF (1 SPACE/250 SF)
TOTAL SPACES REQUIRED: 4,633 SF /250 = 19 (1 HC SPACE REQ'D)
TOTAL SPACES PROVIDED: 35 INCLUDING 2 HC SPACES

BICYCLE SPACE REQUIREMENTS (5% OF REQ'D PARKING)
19 SPACES x 5% = 1 SPACES — 1 BICYCLE SPACES REQ
3 BICYCLE SPACES PROVIDED

## BUILDING SETBACKS (LDC SECTION 5.05.05)

| ADJACENT ZONING /USE | MIN. FRONT (FT) | | MIN. SIDE (FT) | |
|---|---|---|---|---|
| | S (ROW) | W (ROW) | N (MPUD/ACCESS WAY) | E (MPUD/RESIDENTIAL) |
| NOTES: | NOTE 1 | NOTE 1 | NOTE 1 | NOTE 2 |
| REQUIRED | 50' | 50' | 40' | 50' |
| PROVIDED | 91.52' | 52.67' | 58.47' | 54.08' |

MAX. BUILDING HEIGHT = 50'

PROVIDED BLDG HEIGHT= SEE PLANNING NOTES BELOW

NOTES:
1. SETBACK REQUIREMENTS PER SEC. 5.05.05.B.1
2. SETBACK REQUIREMENTS PER SEC 5.05.05.D.1

## ZONING NOTES:

| | ZONING | USE |
|---|---|---|
| PROPERTY | MPUD | COMMERCIAL |
| NORTH | MPUD | COMMERCIAL |
| EAST | ROW | RATTLESNAKE HAMMOCK |
| SOUTH | ROW | COLLIER BLVD |
| WEST | | |

## PLANNING NOTES:

| | |
|---|---|
| PROPERTY ZONING = | MPUD (ORD 20-39) |
| MINIMUM LOT AREA = | 10,000 SF (PER MPUD) |
| PROPOSED LOT AREA = | 88,192 SF (2.02 AC) |
| MAX BLDG COVERAGE = | NONE |
| MINIMUM FLOOR AREA = | N/A |
| MINIMUM LOT WIDTH = | 100' (PER MPUD) |
| PROPOSED LOT WIDTH = | 320' +/- |
| BUILDING HEIGHT ALLOWED = | 50 FT |

HEIGHT PROPOSED = FROM FIN. FL:
STORE: 20.83' TO BOTTOM OF HIP ROOF
CANOPY: 17.50' TO HIGHEST POINT/FLAT ROOF
CARWASH : 19.08' TO PARAPET 18.00' TO FLAT ROOF
(SEE DEFINITIONS LDC 1.08.00) ACTUAL : (FROM 13.00' NAVD RATTLESNAKE)
STORE : 22.43' CANOPY: 19.10' CARWASH: 20.68'
ZONED : (FROM 13.79' NAVD MIN. F.F)
STORE: 21.64' CANOPY: 18.31' CARWASH: 19.89'

## REFUSE AND SOLID WASTE DISPOSAL FACILITIES:

1. ALL STORAGE AREAS / CONTAINERS SHALL MEET REQUIREMENTS OF COLLIER COUNTY LDC SECTION 5.03.04.
2. ALL STORAGE AREAS / CONTAINERS SHALL BE ADEQUATELY SHIELDED FROM VIEW OF ADJACENT PROPERTY OWNERS AND STREETS ON AT LEAST 3 SIDES PER SECTION 5.03.04 (E)
3. MINIMUM ENCLOSURE INTERNAL DIMENSION SHALL BE 12 FT X 12 FT WITH A SEPARATE AREA FOR RECYCLING RECEPTACLES ENCLOSED BY VEGETATIVE SCREENING. ALTERNATIVELY A 12 FT X 24 FT ENCLOSURE MAY BE USED TO INCLUDE 1 GARBAGE & 1 RECYCLING RECEPTACLE.
4. THE CONFIGURATION AND LOCATION OF DUMPSTER / RECYCLING AREAS MAY BE MODIFIED DURING CONSTRUCTION AS LONG AS THE ABOVE REQUIREMENTS AND AREAS BELOW ARE MAINTAINED.

## PROJECT PHASING PLAN:

THE PROJECT INFRASTRUCTURE SHALL BE CONSTRUCTED IN 1 (ONE) PHASE.

## SIGNING AND PAVEMENT MARKING NOTES:

1. ALL SIGNING AND PAVEMENT MARKINGS SHALL BE IN ACCORDANCE WITH THE F.D.O.T. STANDARDS FOR ROAD AND BRIDGE CONSTRUCTION, LATEST EDITION, THE F.D.O.T. ROADWAY AND TRAFFIC DESIGN STANDARDS, LATEST EDITION, THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES AND COLLIER COUNTY DEPARTMENT OF TRANSPORTATION PUBLISHED STANDARDS.
2. PAVEMENT MARKINGS SHALL BE PERMANENT TRAFFIC PAINT IN ACCORDANCE WITH F.D.O.T. STANDARD SPECIFICATIONS SECTION 710.
3. MATCH EXISTING PAVEMENT MARKINGS AT EXISTING ROADS.
4. REMOVE ANY EXISTING SIGNS OR PAVEMENT MARKINGS IN CONFLICT WITH THOSE SHOWN ON PLANS.
5. ALL STOP SIGN LOCATIONS SHALL INCLUDE A 24" PAINTED WHITE STOP BAR UNLESS NOTED OTHERWISE.
6. THE CONTRACTOR SHALL COMPLY WITH THE "STATE OF FLORIDA MANUAL OF TRAFFIC CONTROL AND SAFE PRACTICES FOR STREET AND HIGHWAY CONSTRUCTION, MAINTENANCE, AND UTILITY OPERATIONS" AND WITH THE "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES".
7. THE CONTRACTOR SHALL FURNISH AND INSTALL STREET NAME SIGNS IN ACCORDANCE WITH COLLIER COUNTY DEVELOPMENT STANDARDS.
8. ALL PAVEMENT MARKINGS WITHIN THE FDOT RIGHT OF WAY SHALL BE THERMO PLASTIC
9. ALL EXISTING PAVEMENT MARKINGS THAT ARE IN CONFLICT WITH PROPOSED MARKINGS SHALL BE REMOVED BY HYDRO BLASTING.
10. THE DEVELOPMENT MUST MEET THE FDOT MINIMUM DRIVEWAY LENGTH PER OF 30' FOR SMALL COMMERCIAL DEVELOPMENTS.
11. ALL PAVEMENT MARKINGS WITHIN THE COLLIER COUNTY RIGHT OF WAY AND COUNTY MAINTAINED EASEMENTS TO BE PREFORMED THERMOPLASTIC.
12. DETECTABLE WARNINGS SHALL BE CAST-IN-PLACE (WET-SET AND ANCHORED IN CONCRETE).

| REV# | DATE | REVISION |
|---|---|---|
| R3 | | |
| R2 | | |
| R1 | | |
| R4 | | |
| R5 | | |
| R6 | | |
| R7 | | |
| R8 | | |

# 7-ELEVEN # 41574
# MASTER SITE PLAN
8530 COLLIER BLVD
NAPLES, FL 34114

Q Quattrone & Associates, Inc.
Engineers, Planners, & Development Consultants
4301 Veronica Shoemaker Blvd - Fort Myers, Florida 33916 - 239-936-5222
Certificate of Authorization Number: 9465

ALFRED QUATTRONE, P.E.
FL. REG #52741
VALID ONLY WITH STAMPED SEAL

SAVED BY: miche
SAVED ON: 3/30/21

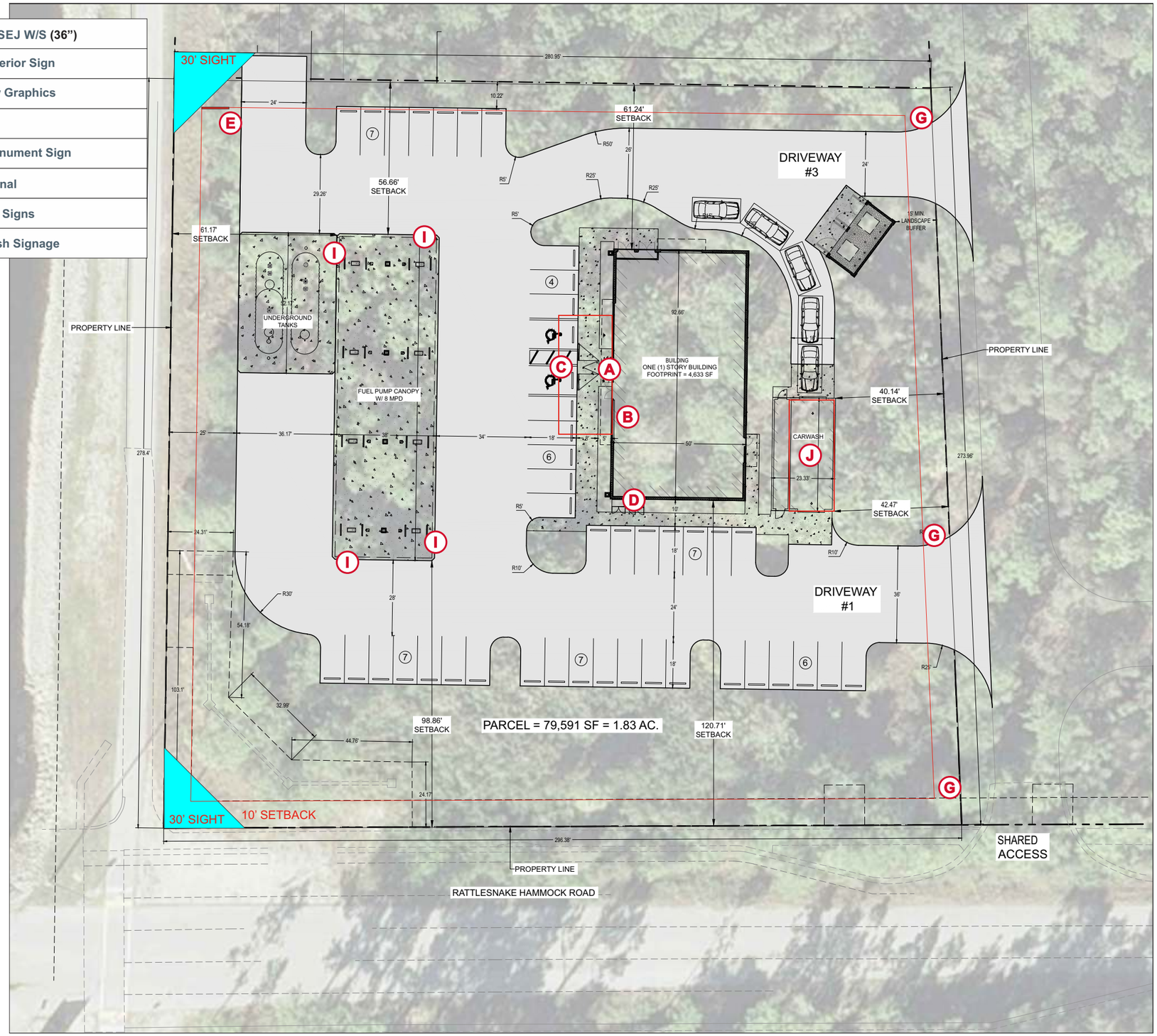
SHEET
SD-04
04 OF 09

181101 PLAN SET -

P:\2018 Projects\181101 7-ELEVEN RATTLESNAKE HAMMOCK & COLLIER - 41574 - ACTIVE\01-CADD FILES\00-QAI CADD - VERSION A\181101 PLAN SET

Attachment: Attachment F - Preliminary Site Development Plans and 7-Eleven Sign Site Plan (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

| | |
|---|---|
| A | 3-Pack SEJ W/S (36") |
| B | ATM Interior Sign |
| C | Window Graphics |
| D | W25 |
| E | M25 Monument Sign |
| G | Directional |
| I | Canopy Signs |
| J | Car Wash Signage |




Site Plan
1" = 40'-0"

| Sqft Allowances | |
|---|---|
| Wall Signs Allowed: | 150.0 sqft |
| Wall Signs Total: | 110.3 sqft |
| Gas Canopy Total: | 36.0 sqft |
| Proposed Wall Total: | 146.3 sqft |

| | |
|---|---|
| Monument Sign Allowed: | 60.0 sqft |
| Monument Sign Total: | 0 sqft |

THIS DESIGN IS FOR THE SOLE PURPOSE OF ILLUSTRATION & CONCEPT DESIGN. THIS FILE IS NOT TO BE USED FOR PRODUCTION AND/OR FABRICATION. THIS DESIGN IS THE SOLE PROPERTY OF HARBINGER AND MAY NOT BE USED OR DUPLICATED IN ANY FORM WITHOUT THE EXPRESS WRITTEN PERMISSION OF HARBINGER.

harbinger
sign of the future
5300 Shad Road, Jacksonville, FL. 32257 • 904.268.
2301 Ohio Dr, Plano, TX. 32257 • 972.905.9450
www.harbingersign.com

CLIENT: 7-Eleven #1045470 (RATTLESNAKE)
ADDRESS: 8530 COLLIER BLVD
NAPLES, FL 34114
CONTACT:
SALES ASSOC.: Rick Guarino
PROJECT MGR: BRIAN HUTTO
DESIGNER: MULLINS
SVE_1045470_Q115909_R2
F:\Customers\7 Eleven\Art\

| Date | Rev. | Description |
|---|---|---|
| 09.12.19 | 00 | Original |
| 12.23.19 | R1 | Update Site plan |
| 01.27.20 | R2 | Update Site plan |

ZONING: xxx
SQUARE FOOTAGE FORMULA

**Code Information:**

**Wall Signs**

**Max 20% of the total square footage of t visual façade including windows of the building, max 150sf for units ≤24,999sf, 25000-59999sf max 200sf, >60000sf max 250sf. No wall sign shall exceed 80% of width of the unit(s) or the building with a of 10% clear area on each outer edge of unit(s) or of the building. Includes canop awning signs also. 2 signs shall not be placed on 1 wall.**

**Max 150.0 SQ' for front, sides and canop combined.**

**Freestanding Signs**

**Max SQ': 60.0**
**Setback: 10'**
**30' ROW Line of Sight w/ 8' above road**
**Only 1 sign allowed per sign code per s**

**Gas Canopy**

**Included in wall signs.**

**Directionals**

**Max. height: 4'-0"**
**Max. sqft.: 6.0 sqft.**

Customer Approval: ATE:



Complies with UL 48 CSA C22.2 No.207

THE STRUCTURAL DESIGN CONFORMS TO THE FOLLOWING CODES AND SPECIFICATIONS: THE FLORIDA BUILDING CODE SIXTH EDITION (2017). THE AMERICAN INSTITUTE OF STEEL CONSTRUCTION(MANUAL OF STEEL CONSTRUCTION, 9TH EDITION). THE AMERICAN WELDING SOCIETY(AWS D1.1-15). THE AMERICAN CONCRETE INSTITUTE BUILDING CODE REQUIREMENTS FOR STRUCTURAL CONCRETE(ACI 3 BY THE ALUMINUM ASSOCIATION(CU



Attachment: Attachment F - Preliminary Site Development Plans and 7-Eleven Sign Site Plan (16029 : PL20200001952 PDI Hammock Park

# HAMMOCK PARK MPUD INSUBSTANTIAL CHANGE

## PDI-PL2020-1952

## HEARING EXAMINER PACKAGE

Attachment: Attachment G - HEX Package REV 2 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

# PDI APPLICATION FORM

Attachment: Attachment G - HEX Package REV 2 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

# INSUBSTANTIAL CHANGE TO A PUD (PDI)

LDC subsection 10.02.13 E & Code of Laws section 2-83 – 2-90
Ch. 3 G.3 of the Administrative Code

Pursuant to LDC subsection 10.02.13 E.2, a PUD insubstantial change includes any change that is not considered a substantial or a minor change. A PUD insubstantial change to an approved PUD ordinance shall be based upon an evaluation of LDC subsection 10.02.13 E.1 and shall require the review and approval of the Hearing Examiner. The Hearing Examiner's approval shall be based on the findings and criteria used for the original application.

**PETITION NO**
**PROJECT NAME**
**DATE PROCESSED**

*To be completed by staff*

## APPLICANT CONTACT INFORMATION

**Name of Property Owner(s):** Hammock Park Apartments, LLC

**Name of Applicant if different than owner:** Hammock Park Apartments, LLC

**Address:** 7742 Alico Road **City:** Fort Myers **State:** FL **ZIP:** 33912

**Telephone:** 877-357-8271 ext.700 **Cell:** 904-762-4454 **Fax:** _____

**E-Mail Address:** david@flstardevelopment.com

**Name of Agent:** Alexis Crespo, AICP

**Firm:** Waldrop Engineering, P.A.

**Address:** 28100 Bonita Grande Dr **City:** Bonita Springs **State:** FL **ZIP:** 34135

**Telephone:** 239-405-7777 **Cell:** 239-850-8525 **Fax:** _____

**E-Mail Address:** alexis.crespo@waldropengineering.com

## DETAIL OF REQUEST

On a separate sheet, attached to the application, describe the insubstantial change request. Identify how the request does not meet the PUD substantial change criteria established in LDC subsection 10.02.13 E.1.



Attachment: Attachment G - HEX Package REV 2 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

## PROPERTY INFORMATION

**PUD NAME:** HAMMOCK PARK MPUD **ORDINANCE NUMBER:** TBD
**FOLIO NUMBER(S):** 00416720000

Provide a legal (if PUD is recorded) or graphic description of area of amendment (this may be graphically illustrated on Amended PUD Master Plan). If applying for a portion of the PUD, provide a legal description for subject portion.

Attach on a separate sheet, a written description of the map or text change.

Does amendment comply with the Growth Management Plan? ☒ Yes ☐ No

If no, please explain: _____

Has a public hearing been held on this property within the last year? ☒ Yes ☐ No

If yes, in whose name? Wilton Land Company, LLC

Has any portion of the PUD been ☐ SOLD and/or ☐ DEVELOPED?

Are any changes proposed for the area sold and/or developed? ☐ Yes ☒ No
If yes, please describe on an attached separate sheet.

Attachment: Attachment G - HEX Package REV 2 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

# Pre-Application Meeting and Final Submittal Requirement Checklist for: PUD Insubstantial Change Chapter 3 G.3 of the Administrative Code

The following Submittal Requirement checklist is to be utilized during the Pre-Application Meeting and at time of application submittal. At final submittal, the checklist is to be completed and submitted with the application packet. Please provide the submittal items in the exact order listed below, with cover sheets attached to each section. **Incomplete submittals will not be accepted.**

| REQUIREMENTS FOR REVIEW | # OF COPIES | REQUIRED | NOT REQUIRED |
|---|---|---|---|
| Completed Application (download current form from County website) | 1 | ☒ | |
| Pre-Application Meeting notes | 1 | ☑ | ☐ |
| Project Narrative, including a detailed description of proposed changes and why amendment is necessary | 1 | ☑ | ☐ |
| Detail of request | 1 | ☒ | |
| Current Master Plan & 1 Reduced Copy | 1 | ☒ | |
| Revised Master Plan & 1 Reduced Copy | 1 | ☒ | |
| Revised Text and any exhibits | ☐ | ☑ | ☐ |
| PUD document with changes crossed through & underlined | ☐ | ☑ | ☐ |
| PUD document as revised with amended Title Page with Ordinance # | ☐ | ☑ | ☐ |
| Warranty Deed | ☐ | ☑ | ☐ |
| Legal Description | 1 | | ☑ |
| Boundary survey, if boundary of original PUD is amended | ☐ | ☐ | ☑ |
| If PUD is platted, include plat book pages | ☐ | ☐ | ☑ |
| List identifying Owner & all parties of corporation | 1 | ☑ | ☐ |
| Affidavit of Authorization, signed & notarized | 1 | ☒ | |
| Completed Addressing Checklist | 1 | ☒ | |
| Property Ownership Disclosure Form | 1 | ☒ | |
| Copy of 8 ½ in. x 11 in. graphic location map of site | 1 | ☑ | ☐ |
| Electronic copy of all documents and plans<br>*Please advise: The Office of the Hearing Examiner requires all materials to be submitted electronically in PDF format. | ☐ | ☑ | ☐ |
| ***If located in Immokalee or seeking affordable housing, include an additional set of each submittal requirement.** | | | |

**ADDITIONAL REQUIREMENTS FOR THE PUBLIC HEARING PROCESS:**

- Following the completion of the review process by County Review staff, the applicant shall submit all materials electronically to the designated project manager.
- Please contact the project manager to confirm the number of additional copies required.

Attachment: Attachment G - HEX Package REV 2 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

**PLANNERS – INDICATE IF THE PETITION NEEDS TO BE ROUTED TO THE FOLLOWING REVIEWERS:**

| | | | |
|---|---|---|---|
| ☐ | School District (Residential Components): Amy Lockheart | ☐ | Bayshore/Gateway Triangle Redevelopment: Executive Director |
| ☐ | Utilities Engineering: Eric Fey | ☐ | Parks and Recreation: Barry Williams and David Berra |
| ☐ | Emergency Management: Dan Summers | ☐ | Naples Airport Authority: |
| ☐ | Conservancy of SWFL: Nichole Johnson | ☐ | Other: |
| ☐ | City of Naples: Robin Singer, Planning Director | ☐ | Other: |

## FEE REQUIREMENTS

- ☐ **PUD Amendment Insubstantial (PDI):** $1,500.00
- ☐ **Pre-Application Meeting:** $500.00
- ☐ **Estimated Legal Advertising fee for the Office of the Hearing Examiner**: $1,125.00
  Same fee applies if the petition is referred to the Collier County Planning Commission, where the CCPC serves as the deciding authority instead of the HEX.

*Fire Code Plans Review Fees are collected at the time of application submission and those fees are set forth by the Authority having jurisdiction. The Land Development Code requires Neighborhood Notification mailers for Applications headed to hearing, and this fee is collected prior to hearing.*

As the authorized agent/applicant for this petition, I attest that all of the information indicated on this checklist is included in this submittal package. I understand that failure to include all necessary submittal information may result in the delay of processing this petition.

*All checks payable to: Board of County Commissioners*.

The completed application, all required submittal materials, and fees shall be submitted to:

**Growth Management Department**
**Planning and Regulation**
**ATTN: Business Center**
**2800 North Horseshoe Drive**
**Naples, FL 34104**

ACrespo _____ 11/17/20

Agent/Owner Signature _____ Date

Alexis Crespo

Applicant/Owner Name (please print)



Attachment: Attachment G - HEX Package REV 2 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

# NARRATIVE

Attachment: Attachment G - HEX Package REV 2 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

WALDROP ENGINEERING
PLANNING | CIVIL ENGINEERING | LANDSCAPE ARCHITECTURE
BONITA SPRINGS Fort Myers Tampa Orlando Sarasota
28100 Bonita Grande Dr., Suite 305, Bonita Springs, FL 34135
p. (239) 405-7777 f. (239) 405-7899

November 17, 2020
*Revised January 29, 2021*

Mr. John Kelly, Planner
Zoning & Land Development Review Department
Community Development & Environmental Services
2800 North Horseshoe Drive
Naples, Florida 34104

**RE: Hammock Park MPUD**
**Insubstantial Change to a Planned Unit Development (PDI)**

Dear Mr. Kelly:

Enclosed for your review is an application for an Insubstantial Change to a PUD in regards to the Hammock Park MPUD, a 19+/- acre mixed use project generally located on the northeast corner of Collier Boulevard (CR 951) and Rattlesnake Hammock Road in unincorporated Collier County. The Applicant is requesting three (3) new deviations through this application to allow for a temporary, off-premises directional sign related to development on the McMullen PUD, which is located immediately east of the subject property.

## BACKGROUND/EXISTING CONDITIONS

The Hammock Park MPUD was originally rezoned from Agricultural to Planned Unit Development (PUD) in 2000 per Ordinance No. 00-79. In 2007, the Property was rezoned from PUD to Commercial Planned Unit Development (CPUD) per Ordinance No. 07-30. The CPUD allowed the development of up to 160,000 SF of commercial uses, which have not been developed to date.

The CPUD was amended in 2014, per HEX decision 2014-28, to allow for ground signage associated with the Hacienda Lakes of Naples on the southwest corner of the property. A second PDI was issued in 2016 per HEX decision 2016-42 to allow for the construction of two (2) accessory tower structures 10 feet from the PUD boundary.

Per Ordinance No. 2020-39, approved by the Board of County Commissioners on October 27, 2020, the subject property was rezoned to a Mixed Use Planned Unit Development (MPUD) to allow for a development option of 265 multi-family units and 80,000 SF of commercial uses.

## REQUEST

The Applicant is requesting Staff's approval of an insubstantial change to the Hammock Park MPUD to allow for the following modifications to Section III, Community Commercial District; and Section VI, Requested Deviations from the LDC, approved per Ordinance 07-39 and HEX 14-28:

- Modify the Table of Contents/List of Exhibits to add "Exhibit D-1, Off-Premises Temporary Directional Signage" to the List of Exhibits;

- Modify Section II, Section 2.6 Signs, to allow for a temporary off-premises directional sales sign for the Watercrest project (AKA McMullen MPUD), with a maximum sign face area of 64 SF and 10' tall.

Attachment: Attachment G - HEX Package REV 2 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

- Add three (3) news deviation to Section VI, Requested Deviations from the LDC, to allow for the proposed signage design. Specifically, to allow for the proposed 64 SF sign face area, 10' tall sign height, and to locate the sign more than 1,000 feet from the project being advertised.

As demonstrated in the attached application materials, the property owner, has authorized Watercrest Senior Living Group to apply for this deviation and are supportive of the request.

As shown on Exhibit "D-1", the signage is proposed as a directional sign to direct visitors and vehicles to the Watercrest senior housing project to the immediate east of Hammock Park. The Watercrest project is formerly known as the McMullen PUD and has no direct visibility from Collier Blvd.

The proposed sign is double-sided and will not exceed 64 square feet in area and 10 feet in height. The off-site sign will be located approximately at the midpoint of the Hammock Park Collier Blvd. frontage. This location will allow for adequate spacing between the existing Hacienda Lakes off-premises monument sign at the southwest corner of the property.

The request is not for permanent off-site signage. The sign will be limited to the duration of new unit sales within the community and will be removed once new homes sales are complete, or within three (3) years of sign permit issuance, or until new home/unit sales are complete.

The request requires three (3) deviations from LDC §5.06.04.G, which are enclosed in the attached Deviation Justification Narrative.

The sign will directly benefit public health, safety and welfare by notifying the travelling public of the Watercrest project in order to enable safe turning movements from Collier Blvd. to Rattlesnake Hammock.

The sign will have a substantial setback from the Collier Blvd. travel lanes via the existing canal, pathway and right-of-way. The sign will be setback from other internal signs to mitigate visual impacts and ensure attractive development patterns.

**JUSTIFICATION/COMPLIANCE WITH LDC §10.02.13.E:**

The request complies with the thresholds for insubstantial changes to PUDs as outlined in LDC§ 10.02.13.E as follows:

a. A proposed change in the boundary of the PUD;

***No, the request will not impact the existing PUD boundary.***

b. A proposed increase in the total number of dwelling units or intensity of land use or height of buildings within the development;

***No, the request will not increase the approved density or intensity, or the height of proposed buildings.***

c. A proposed decrease in preservation, conservation, recreation or open space areas within the development not to exceed 5 percent of the total acreage previously designated as such, or 5 acres in area;

***No, the request will not result in a decrease of preserve, conservation, recreation, or open space areas.***

Attachment: Attachment G - HEX Package REV 2 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

d. A proposed increase in the size of areas used for nonresidential uses, to include institutional, commercial and industrial land uses (excluding preservation, conservation or open spaces), or a proposed relocation of nonresidential land uses;

***No, the request does not impact the size of non-residential areas or proposed to relocate such areas within the PUD boundary.***

e. A substantial increase in the impacts of the development which may include, but are not limited to, increases in traffic generation; changes in traffic circulation; or impacts on other public facilities;

***No, the request will not result in an impact to the development in terms of traffic and public facilities. The deviations being requested through this PDI will allow for an off-premise directional sign that will be temporary in nature.***

f. A change that will result in land use activities that generate a higher level of vehicular traffic based upon the Trip Generation Manual published by the Institute of Transportation Engineers;

***No, the request will not generate a higher level of vehicular traffic. No change in land use activities is being requested.***

g. A change that will result in a requirement for increased stormwater retention, or will otherwise increase stormwater discharges;

***No, the request will not result in increased requirements for stormwater retention or increase stormwater discharges.***

h. A change that will bring about a relationship to an abutting land use that would be incompatible with an adjacent land use;

***No, the request will not modify any existing uses that would impact any surrounding land uses or that would be incompatible. Required separation between the off-premise and on-premise signage will be complied with.***

i. Any modification to the PUD master plan or PUD document or amendment to a PUD ordinance which is inconsistent with the Future Land Use Element or other element of the Growth Management Plan or which modification would increase the density or intensity of the permitted land uses;

***No, the request does not impact the project's compliance with the Growth Management Plan.***

j. The proposed change is to a PUD district designated as a development of regional impact (DRI) and approved pursuant to F.S. § 380.06, where such change requires a determination and public hearing by Collier County pursuant to F.S. § 380.06(19). Any change that meets the criterion of F.S. § 380.06(19)(e)2, and any changes to a DRI/PUD master plan that clearly do not create a substantial deviation shall be reviewed and approved by Collier County under this LDC section 10.02.13; or

***No, the MPUD is not within a Development of Regional Impact.***

Attachment: Attachment G - HEX Package REV 2 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

k. Any modification in the PUD master plan or PUD document or amendment to a PUD ordinance which impact(s) any consideration deemed to be a substantial modification as described under this LDC section 10.02.13

***No, the request is not a substantial modification to the PUD, and may be processed as a PDI pursuant to the LDC and Administrative Code***.

**CONCLUSION:**

In summary, the proposed Insubstantial Change will allow for one (1) off-premises sign to market the Watercrest Assisted Living Facility to the travelling public along the Collier Blvd. corridor. The off-premises sign will maintain all required setbacks and separation from other on-premises signs, including the tower features approved by an earlier PDI. This application will not negatively impact public health, safety or welfare, and the CPUD will remain consistent with the LDC and Growth Management Plan (GMP).

The following items are enclosed for your review:

1. One (1) copy of the completed PDI Application;
2. One (1) copy of the Pre-Application Meeting Notes;
3. One (1) copy of the Cover Letter/Project Narrative detailing the purpose of the request;
4. One (1) copy of the Current Master Plan & 1 reduced copy (8 ½" x 11");
5. One (1) copy of the Table of Contents, Section II, Project Development, and Section VI, Requested Deviations from the LDC, of the PUD document in strikethrough/underline format with Exhibits D-1;
6. One (1) copy of the Recorded Warranty Deed;
7. One (1) copy of the Requested Deviations and Justifications;
8. One (1) copy of the Legal Description;
9. One (1) copy of the Affidavit of Authorization;
10. One (1) copy of the approved Addressing Checklist;
11. One (1) copy of amended Title Page with Ordinance #; and
12. One (1) copy of the Location Map (8.5"X11").

Should you require additional information or have any questions, please feel free to contact me directly at (239) 405-7777 or alexis.crespo@waldropengineering.com.

Sincerely,

***WALDROP ENGINEERING, P.A.***

Alexis V. Crespo, AICP
Senior Vice President – Planning

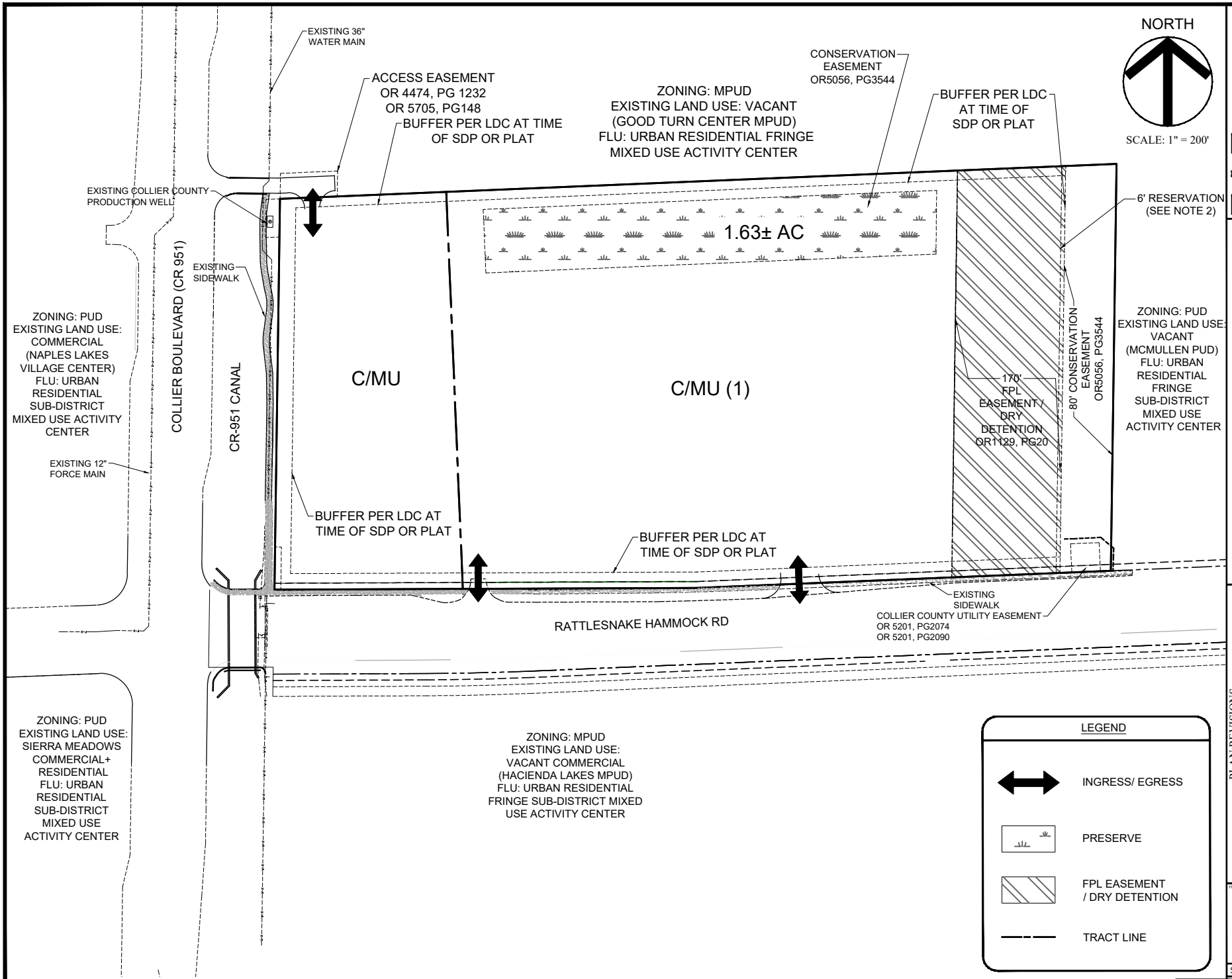
Enclosures

cc: Mark Chilcott, Watercrest Senior Living Group
David Torres, Hacienda Lakes of Naples, LLC

Attachment: Attachment G - HEX Package REV 2 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

# MASTER CONCEPT PLAN

Attachment: Attachment G - HEX Package REV 2 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)




B:\Projects\881-02 Hammock Park - Planning and Zoning\Drawings-Exhibits\881-02-E02 PUD Master Plan\Current Plans\881-02-E02-09 PUD Master Plan.dwg

WALDROP ENGINEERING
CIVIL ENGINEERING CONSULTANTS FL 3415 waldropengineering.com

# HAMMOCK PARK MPUD

PUD MASTER PLAN

PLAN REVISIONS

| | | |
|---|---|---|
| 1 | 04/12/19 | REVISED PER COUNTY COMMENTS |
| 2 | 06/04/19 | REVISED PER COUNTY COMMENTS |
| 3 | 08/14/19 | REVISED PER COUNTY COMMENTS |
| 4 | 10/17/19 | REVISED PER COUNTY COMMENTS |

FLORIDA CERTIFICATE OF AUTHORIZ

SET NUMBER: 881-02-E02

**Attachment: Attachment G - HEX Package REV 2 (16029 : PL20200001952 PDI Hammock Park Commerce**

## SITE SUMMARY

| CATEGORY | ACREAGE | PERCENTAGE OF TOTAL ACREAGE |
|---|---|---|
| PRESERVE | 1.63 AC | 8.52 % |
| BUFFERS | 1.31 AC | 6.85 % |
| FPL EASEMENT / DRY DETENTION | 2.43 AC | 12.70 % |
| DEVELOPMENT TRACTS (C/MU) | 8.02 AC | 41.92 % |
| PERVIOUS (OPEN SPACE) | 5.74 AC | 30.01 % |
| TOTAL | 19.13 AC | 100.00 % |

## LAND USE SUMMARY

| | |
|---|---|
| C/MU | 80,000 SF COMMERCIAL PLUS UP TO 265 DWELLING UNITS, OR 160,000 SF COMMERCIAL ONLY |
| (1) | RESIDENTIAL PERMITTED IN THIS AREA |

## OPEN SPACE SUMMARY

| | |
|---|---|
| TOTAL REQUIRED (19.13 x 30%) | 5.74 AC |
| TOTAL PROVIDED | 5.74 AC |

## PRESERVE SUMMARY

| | |
|---|---|
| NATIVE PRESERVE REQUIRED: | 1.63 AC |
| NATIVE PRESERVE PROVIDED: | 1.63 AC |

## GENERAL NOTES

1. THIS PLAN IS CONCEPTUAL IN NATURE AND IS SUBJECT TO MINOR MODIFICATION DUE TO AGENCY PERMITTING REQUIREMENTS.

2. PRESERVES MAY BE USED TO SATISFY THE LANDSCAPE BUFFER REQUIREMENTS AFTER EXOTIC VEGETATION REMOVAL IN ACCORDANCE WITH LDC SECTIONS 4.06.02 AND 4.06.05.E.1. SUPPLEMENTAL PLANTINGS WITH NATIVE PLANT MATERIALS SHALL BE IN ACCORDANCE WITH LDC SECTION 3.05.07. IN THE EVENT THAT A TYPE "B" BUFFER IS REQUIRED ALONG THE EAST BOUNDARY, A MINIMUM 6-FOOT-WIDE RESERVATION LOCATED OUTSIDE OF THE PRESERVE WILL BE CONVEYED BY OWNER TO A HOMEOWNERS ASSOCIATION, PROPERTY OWNER'S ASSOCIATION OR CONDOMINIUM ASSOCIATION AT TIME OF SDP APPROVAL. IN THE EVENT THAT THE PRESERVE DOES NOT MEET THE BUFFER REQUIREMENT AFTER REMOVAL OF EXOTICS AND SUPPLEMENTAL PLANTING IN ACCORDANCE WITH LDC SECTION 3.05.07, THE OWNER WILL INSTALL LANDSCAPE MATERIAL IN THE RESERVATION TO MEET THE PLANT SIZE AND SPACING REQUIREMENTS OF THE BUFFER.

3. REFER TO THE BOUNDARY SURVEY FOR ALL EASEMENTS.

B:\Projects\881-02 Hammock Park - Planning and Zoning\Drawings-Exhibits\881-02-E02 PUD Master Plan\Current Plans\881-02-E02-09 PUD Master Plan.dwg

WALDROP ENGINEERING
CIVIL ENGINEERING CONSULTANTS
FL 34135
neering.com

HAMMOCK PARK MPUD

PUD MASTER PLAN

PLAN REVISIONS

| | | |
|---|---|---|
| 1 | 04/12/19 | REVISED PER COUNTY COMMENTS |
| 2 | 06/04/19 | REVISED PER COUNTY COMMENTS |
| 3 | 08/14/19 | REVISED PER COUNTY COMMENTS |
| X | 10/17/19 | REVISED PER COUNTY COMMENTS |

FLORIDA CERTIFICATE OF AUTHORIZ

SET NUMBER: 881-02-E02

Attachment: Attachment G - HEX Package REV 2 (16029 : PL20200001952 PDI Hammock Park Commerce

# CONCEPTUAL SIGN RENDERING

Attachment: Attachment G - HEX Package REV 2 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

**HAMMOCK PARK PDI**
**OFF-PREMISE DIRECTIONAL SIGN**




**MAX. SIGN FACE AREA: 64 SF**
**MAX. SIGN HEIGHT: 10 FEET**

**CONCEPTUAL SIGN FACE CONTENT - FOR ILLUSTRATIVE PURPOSES ONLY**

Attachment: Attachment G - HEX Package REV 2 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

# AMENDED TITLE

Attachment: Attachment G - HEX Package REV 2 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

**Hammock Park MPUD**
**Amend Ordinance 07-30**

AMENDMENT TO THE TABLE OF CONTENTS/LIST OF EXHIBITS PAGE; SECTION VI, REQUESTED DEVIATIONS FROM THE LDC; OF THE PUD DOCUMENT ATTACHED TO ORDINANCE NO. 07-30, HAMMOCK PARK MPUD

The Table of Contents Page of the PUD Document of the Hammock Park MPUD, is hereby amended.

The "Project Development," labeled as Section II of the PUD Document of the Hammock Park MPUD is hereby amended.

The "Requested Deviations from the LDC," labeled as Section VI of the PUD Document of the Hammock Park MPUD, is hereby amended.

The Exhibit D-1, labeled "Off-Premise Directional Signage", attached hereto and incorporated herein, is hereby added to the PUD Document of the Hammock Park MPUD.

Attachment: Attachment G - HEX Package REV 2 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

# PUD DOCUMENT

Attachment: Attachment G - HEX Package REV 2 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

# HAMMOCK PARK MPUD

## TABLE OF CONTENTS

**STATEMENT OF COMPLIANCE**

**SECTION I** Property Ownership & Description

**SECTION II** Project Development

**SECTION III** Commercial- Mixed Use

**SECTION IV** Preserve Area

**SECTION V** General Development Commitments

**SECTION VI** Requested Deviations from the LDC [1]

## LIST OF EXHIBITS

**EXHIBIT "A"** PUD Master Plan

**EXHIBIT "A-1"** Off-Premises Directional Sign Location [1]

**EXHIBIT "C-1"** Tower Locations [2]

**EXHIBIT "C-2"** Tower Renderings [2]

**EXHIBIT "D-1"** Off-Premises Temporary Directional Signage

1. Approved in HEX decision 2014-28.
2. Approved in HEX decision 2016-42.

Attachment: Attachment G - HEX Package REV 2 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

## SECTION II

## PROJECT DEVELOPMENT

### 2.1 PURPOSE

The purpose of this Section is to delineate and generally describe the project plan of development, relationships to applicable County ordinances, the respective land uses of the tracts included in the project, as well as other project relationships.

### 2.2 GENERAL

A. Regulations for development of the Hammock Park MPUD shall be in accordance with the contents of this Document, MPUD - Mixed Use Planned Unit Development District, applicable sections and parts of the LDC and GMP in effect at the time of site development plan approval. Where these regulations fail to provide developmental standards, then the provisions of the most similar district in the LDC shall apply.

B. Unless otherwise noted, the definitions of all terms shall be the same as the definitions set forth in the LDC in effect at the date of adoption of this PUD.

C. All conditions imposed and graphic material presented depicting restrictions for the development of the Hammock Park MPUD shall become part of the regulations that govern the manner in which the MPUD site may be developed.

D. Unless specifically waived through any variance or waiver provisions from any other applicable regulations, the provisions of those regulations not otherwise provided for this ~~C~~MPUD remain in full force and effect.

### 2.3 PROJECT PLAN AND PROPOSED LAND USES

A. The project Master Plan is illustrated graphically by Exhibit "A", MPUD Master Plan.

B. Minor modifications to Exhibit "A" may be permitted at the time of Site Development Plan approval, subject to the provisions of the LDC, as amended, or as otherwise permitted by this MPUD Document.

C. In addition to the various areas and specific items shown in Exhibit "A", easements (such as utility, private and semi-public) shall be established and/or vacated within or along the properly, as may be necessary.

### 2.4 LAND USE



Attachment: Attachment G - HEX Package REV 2 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

A. Exhibit "A", MPUD Master Plan, constitutes the required MPUD Development Plan. Except as otherwise provided within this MPUD Document, any division of the property and the development of the land shall be in compliance with the subdivision regulations and the platting laws of the State of Florida.

B. Appropriate instruments will be provided at the time of infrastructure improvements regarding any dedications and the methodology for providing perpetual maintenance of common facilities.

## 2.5 NATIVE VEGETATION RETENTION REQUIREMENTS

Pursuant to the LDC, as amended, 15% of the native vegetation on site shall be retained. The exact boundaries of the preserve may vary in order to accommodate final alignment of Rattlesnake Hammock Extension but a minimum of 1.63 acres of native preserve shall be provided for in accordance with the LDC.

## 2.6 SIGNS

Signs shall be in accordance with the LDC, as amended except as provided herein and under Section 6.1. "Sign Deviations."[1]

A. One (1) off-premises directional sign for the Hacienda Lakes PUD/DRI shall be permitted in the northeast quadrant of the intersection of C.R. 951 and Rattlesnake Hammock Road, as depicted and labeled per Exhibit A-1. This off-premises sign shall be allowed in addition to other signage allowed by the LDC. The off-premises sign shall contain only the name of the overall project and the insignia or motto of the entire development.[1]

B. The off-premises directional sign for the Hacienda Lakes PUD/DRI shall be no greater than 13 feet in height, and total square footage of all sign copy areas (name of the project and insignias or mottos) shall not exceed 38 square feet (see Deviations #1 and #2 under Section 6.1. "Sign Deviations").[1]

C. <u>The off-premises directional sign for the Watercrest project (AKA McMullen MPUD) shall be no greater than 64 SF and 10' tall. The sign may be located on the property for a maximum of three (3) years from the date of sign permit issuance or until new home/unit sales are completed in accordance with the location shown on Exhibit D-1.</u>

1. Approved in HEX decision 2014-28.

Attachment: Attachment G - HEX Package REV 2 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

## SECTION VI[1]

## REQUESTED DEVIATIONS FROM THE LDC[1]

### 6.1 DEVIATIONS[1]

A. Deviation #1 seeks relief from LDC Section 5.06.04.G.2.a to allow the off-premises directional sign for the Hacienda Lakes PUD/DRI depicted on Exhibit A-1 to have a maximum of 38 square feet in sign area (total square footage of all sign copy areas, including the name of the project and insignias or mottos), rather than 12 square feet as limited in the LDC.[1]

B. Deviation #2 seeks relief from LDC Section 5.06.04.G.2.b to allow the off-premises directional sign for the Hacienda Lakes PUD/DRI depicted on Exhibit A-1 to have a maximum height of 13 feet above the lowest center grade of the roadway adjacent to the sign location, rather than 8 feet as limited in the LDC.[1]

C. Deviation #3 seeks relief from LDC Section 4.02.03.A, which requires accessory structures to be constructed simultaneously with or following the construction of the principal structure, to instead allow accessory structures to be constructed prior to construction of the principal structure. This deviation shall apply only to the two (2) accessory tower structures at the location depicted on Exhibit C-1, "Tower Locations," and further shown on Exhibit C-2, "Tower Renderings."[2]

D. Deviation #4 seeks relief from LDC Section 5.06.04.G.2.a, which allows for a maximum sign area of 12 square feet for off-premises directional signs, to allow for a maximum sign area of 64 square feet for the proposed temporary off-premises directional sign as depicted in Exhibit D-1 and referenced by Section 2.6.C of the MPUD document.

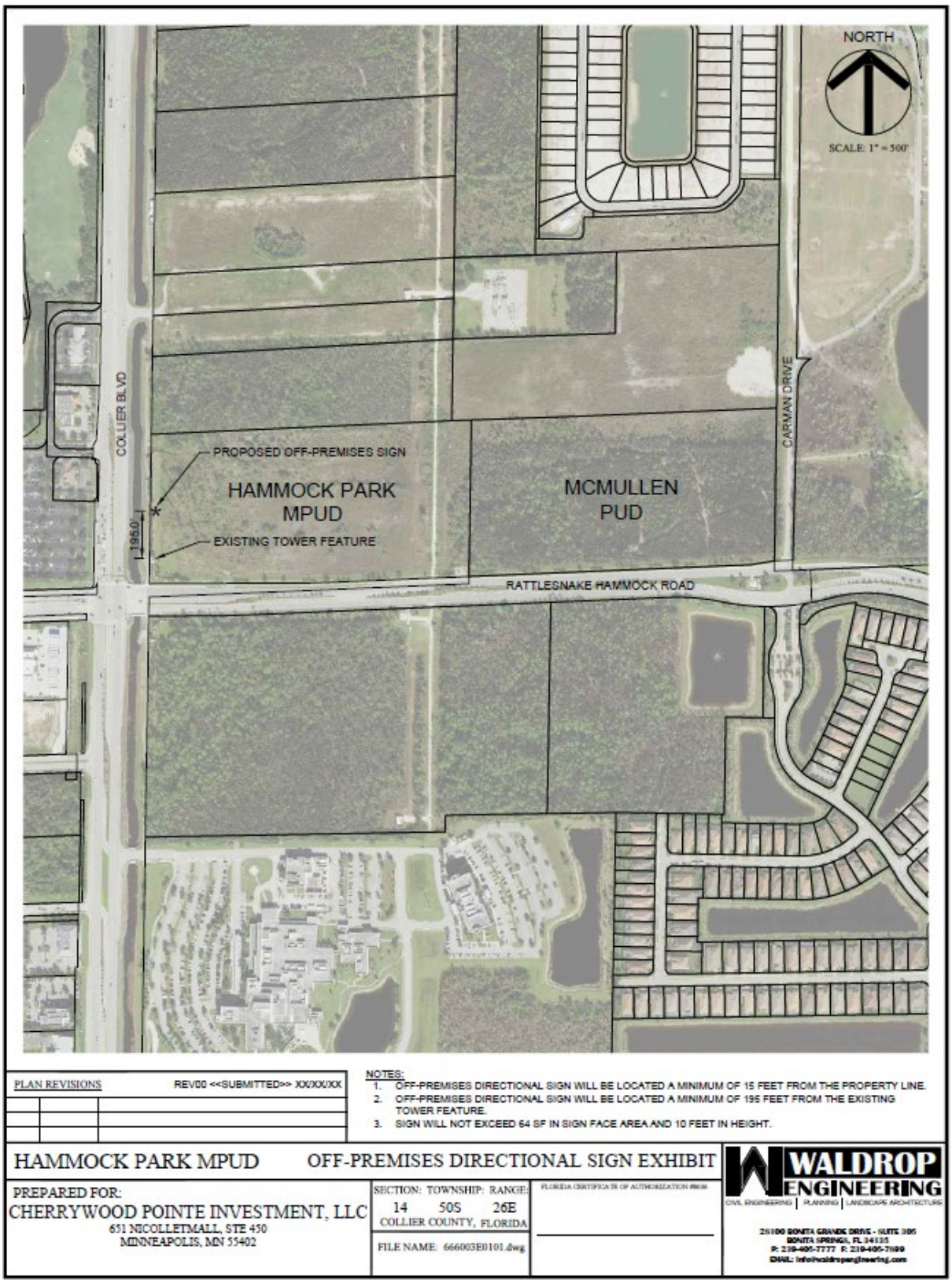
E. Deviation #5 seeks relief from LDC Section 5.06.04.G.2.b, which allows for a maximum sign height of 8 feet for off-premises signs, to allow for a maximum sign height of 10 feet for the proposed off-premises sign as depicted in Exhibit D-1 and referenced by Section 2.6.C of the MPUD document.

F. Deviation #6 seeks relief from LDC Section 5.06.04.G.2.e, which requires off-premises directional signs to be located no more than 1,000 feet from the use for which the sign is displayed, to allow the proposed temporary off-premises directional sign to be located no more than 1,320+/- feet from the use for which the sign is displayed as depicted in Exhibit D-1 and referenced by Section 2.6.C of the MPUD document.

1. Approved in HEX decision 2014-28.
2. Approved in HEX decision 2016-42.

Attachment: Attachment G - HEX Package REV 2 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

# EXHIBIT D-1




| PLAN REVISIONS | REV00 <<SUBMITTED>> XX/XX/XX |
|---|---|
| | |
| | |
| | |

NOTES:
1. OFF-PREMISES DIRECTIONAL SIGN WILL BE LOCATED A MINIMUM OF 15 FEET FROM THE PROPERTY LINE.
2. OFF-PREMISES DIRECTIONAL SIGN WILL BE LOCATED A MINIMUM OF 195 FEET FROM THE EXISTING TOWER FEATURE.
3. SIGN WILL NOT EXCEED 64 SF IN SIGN FACE AREA AND 10 FEET IN HEIGHT.

HAMMOCK PARK MPUD — OFF-PREMISES DIRECTIONAL SIGN EXHIBIT

PREPARED FOR:
CHERRYWOOD POINTE INVESTMENT, LLC
651 NICOLLETMALL, STE 450
MINNEAPOLIS, MN 55402

SECTION: TOWNSHIP: RANGE:
14 50S 26E
COLLIER COUNTY, FLORIDA

FILE NAME: 666003E0101.dwg

FLORIDA CERTIFICATE OF AUTHORIZATION #8636

WALDROP ENGINEERING
CIVIL ENGINEERING | PLANNING | LANDSCAPE ARCHITECTURE
28100 BONITA GRANDE DRIVE - SUITE 305
BONITA SPRINGS, FL 34135
P: 239-405-7777 F: 239-405-7699
EMAIL: info@waldropeng.com

Attachment: Attachment G - HEX Package REV 2 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

# DISCLOSURE OF INTEREST

Attachment: Attachment G - HEX Package REV 2 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

## PROPERTY OWNERSHIP DISCLOSURE FORM

**This is a required form with all land use petitions, except for Appeals and Zoning Verification Letters.**

Should any changes of ownership or changes in contracts for purchase occur subsequent to the date of application, but prior to the date of the final public hearing, it is the responsibility of the applicant, or agent on his behalf, to submit a supplemental disclosure of interest form.

**Please complete the following, use additional sheets if necessary.**

a. If the property is owned fee simple by an INDIVIDUAL, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest:

| Name and Address | % of Ownership |
|---|---|
| | |
| | |
| | |
| | |
| | |

b. If the property is owned by a CORPORATION, list the officers and stockholders and the percentage of stock owned by each:

| Name and Address | % of Ownership |
|---|---|
| | |
| | |
| | |
| | |
| | |

c. If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with the percentage of interest:

| Name and Address | % of Ownership |
|---|---|
| | |
| | |
| | |
| | |
| | |



Attachment: Attachment G - HEX Package REV 2 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

d. If the property is in the name of a GENERAL or LIMITED PARTNERSHIP, list the name of the general and/or limited partners:

| Name and Address | % of Ownership |
|---|---|
| Hammock Park Apartments, LLC. | |
| * George P. Bauer Revocable Trust | 80% |
| ** David E. Torres Revocable Trust | 20% |
| *Human Beneficiaries of George P. Bauer Revocable Trust is George P. Bauer | |

**Human Beneficiaries of David E. Torres Revocable Trust is David E. Torres

e. If there is a CONTRACT FOR PURCHASE, with an individual or individuals, a Corporation, Trustee, or a Partnership, list the names of the contract purchasers below, including the officers, stockholders, beneficiaries, or partners:

| Name and Address | % of Ownership |
|---|---|
| | |
| | |
| | |
| | |
| | |

**Date of Contract:** _____

f. If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust:

| Name and Address |
|---|
| |
| |
| |
| |
| |

g. Date subject property acquired _____

☐ **Leased: Term of lease _____ years /months**

If, Petitioner has option to buy, indicate the following:



Attachment: Attachment G - HEX Package REV 2 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

**Date of option:** _____

**Date option terminates:** _____, or

**Anticipated closing date:** _____

## AFFIRM PROPERTY OWNERSHIP INFORMATION

**Any petition required to have Property Ownership Disclosure, will not be accepted without this form. Requirements for petition types are located on the associated application form. Any change in ownership whether individually or with a Trustee, Company or other interest-holding party, must be disclosed to Collier County immediately if such change occurs prior to the petition's final public hearing.**

As the authorized agent/applicant for this petition, I attest that all of the information indicated on this checklist is included in this submittal package. I understand that failure to include all necessary submittal information may result in the delay of processing this petition.

The completed application, all required submittal materials, and fees shall be submitted to:
Growth Management Department
ATTN: Business Center
2800 North Horseshoe Drive
Naples, FL 34104

Agent/Owner Signature

12-28-20.
Date

DAVID E. TORRES, Manager.
Agent/Owner Name (please print)



Attachment: Attachment G - HEX Package REV 2 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

# Electronic Articles of Organization For Florida Limited Liability Company

L20000166578
FILED 8:00 AM
June 16, 2020
Sec. Of State
bcbiro

## Article I

The name of the Limited Liability Company is:

HAMMOCK PARK APARTMENTS, LLC

## Article II

The street address of the principal office of the Limited Liability Company is:

7742 ALICO RD
FT MYERS, FL. 33912

The mailing address of the Limited Liability Company is:

7742 ALICO RD
FT MYERS, FL. 33912

## Article III

The name and Florida street address of the registered agent is:

DAVID E TORRES
7742 ALICO RD
FT. MYERS, FL. 33912

Having been named as registered agent and to accept service of process for the above stated limited liability company at the place designated in this certificate, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relating to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent.

Registered Agent Signature: DAVID E. TORRES

Attachment: Attachment G - HEX Package REV 2 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

L20000166578
FILED 8:00 AM
June 16, 2020
Sec. Of State
bcbiro

## Article IV

The name and address of person(s) authorized to manage LLC:

Title: MGR
DAVID E TORRES
7742 ALICO RD
FT. MYERS, FL. 33912

## Article V

The effective date for this Limited Liability Company shall be:

06/16/2020

Signature of member or an authorized representative

Electronic Signature: DAVID E. TORRES

I am the member or authorized representative submitting these Articles of Organization and affirm that the facts stated herein are true. I am aware that false information submitted in a document to the Department of State constitutes a third degree felony as provided for in s.817.155, F.S. I understand the requirement to file an annual report between January 1st and May 1st in the calendar year following formation of the LLC and every year thereafter to maintain "active" status.

Attachment: Attachment G - HEX Package REV 2 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

# AFFIDAVIT OF AUTHORIZATION

Attachment: Attachment G - HEX Package REV 2 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

# AFFIDAVIT OF AUTHORIZATION

**FOR PETITION NUMBERS(S)** PL202000001952

I, DAVID E. TORRES (print name), as MANAGING MEMBER (title, if applicable) of HAMMOCK PARK APARTMENTS, LLC (company, If applicable), swear or affirm under oath, that I am the (choose one) owner [✓] applicant [✓] contract purchaser [ ] and that:

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the County in accordance with this application and the Land Development Code;
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I have authorized the staff of Collier County to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made through this application; and that
4. The property will be transferred, conveyed, sold or subdivided subject to the conditions and restrictions imposed by the approved action.
5. We/I authorize WALDROP ENGINEERING, P.A. to act as our/my representative in any matters regarding this petition including 1 through 2 above.

*Notes:*

- *If the applicant is a corporation, then it is usually executed by the corp. pres. or v. pres.*
- *If the applicant is a Limited Liability Company (L.L.C.) or Limited Company (L.C.), then the documents should typically be signed by the Company's "Managing Member."*
- *If the applicant is a partnership, then typically a partner can sign on behalf of the partnership.*
- *If the applicant is a limited partnership, then the general partner must sign and be identified as the "general partner" of the named partnership.*
- *If the applicant is a trust, then they must include the trustee's name and the words "as trustee".*
- *In each instance, first determine the applicant's status, e.g., individual, corporate, trust, partnership, and then use the appropriate format for that ownership.*

**Under penalties of perjury, I declare that I have read the foregoing Affidavit of Authorization and that the facts stated in it are true.**

David E. Torres
Manager.

Signature

12-28-20
Date

**STATE OF FLORIDA**
**COUNTY OF COLLIER**

The foregoing instrument was acknowleged before me by means of [X] physical presence or [ ] online notarization this 28th day of December, 2020, by (printed name of owner or qualifier) David E. Torres.

Such person(s) Notary Public must check applicable box:

[X] Are personally known to me

[ ] Has produced a current drivers license _____

[ ] Has produced _____ as identification.

Notary Signature: Charlotte M. Walkup

Notary Public State of Florida
Charlotte M. Walkup
My Commission GG 945456
Expires 01/21/2024

CP\08-COA-00115\155
REV 3/4/2020

Attachment: Attachment G - HEX Package REV 2 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

# DEVIATION JUSTIFICATION NARRATIVE

Attachment: Attachment G - HEX Package REV 2 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

WALDROP ENGINEERING
PLANNING | CIVIL ENGINEERING | LANDSCAPE ARCHITECTURE
BONITA SPRINGS Fort Myers Tampa Orlando Sarasota
28100 Bonita Grande Dr., Suite 305, Bonita Springs, FL 34135
p. (239) 405-7777 f. (239) 405-7899

**JUSTIFICATIONS FOR REQUESTED DEVIATIONS FROM LDC**
**HAMMOCK PARK MPUD**

***REVISED JANUARY 2029***

**Deviation 1 -3: No changes**

**Deviation 4:** Deviation from LDC Section 5.06.04.G.2.a, which allows for a maximum sign area of 12 square feet for off-premises directional signs, to allow for a maximum sign area of 64 square feet for the proposed temporary off-premises directional sign as depicted in Exhibit D-1 and referenced by Section 2.6.C of the MPUD document.

**JUSTIFICATION: The request will allow for an appropriately sized off-premises directional sign to notify the travelling public of the Watercrest Assisted Living Facility (ALF), located to the east of Hammock Park.**

**Collier Blvd. is a major arterial facility with relatively high travel speeds. Thus, visible signage to direct the travelling public is critical along this roadway, when compared to smaller, collector or local roads.**

**Additionally, the property boundary is setback a minimum of 115+/-feet from the travel lanes. This substantial setback is created by the Collier Blvd. canal and pathway system within the county-owned right-of-way. Therefore, the signage will not be located directly on the roadway and create a negative or unattractive viewshed for the public.**

**The proposed sign face area will allow for appropriately sized text and images in consideration of these existing conditions.**

**It is understood that Hammock Park MPUD may not exceed the number of signs permitted by LDC §5.06.02.B.2, thereby preventing signage proliferation on the property.**

**Deviation 5:** Deviation from LDC Section 5.06.04.G.2.b, which allows for a maximum sign height of 8 feet for off-premises signs, to allow for a maximum sign height of 10 feet for the proposed off-premises sign as depicted in Exhibit D-1 and referenced by Section 2.6.C of the MPUD document.

**JUSTIFICATION: The height is necessary to ensure legible signage in consideration of the significant setback between the sign and the roadway, as well as the travel speeds along Collier Blvd.**

**The sign has been attractively designed, as shown on the attached rendering in order to protect viewsheds.**

Attachment: Attachment G - HEX Package REV 2 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

**Deviation 6:** Deviation from LDC Section 5.06.04.G.2.e, which requires off-premises directional signs to be located no more than 1,000 feet from the use for which the sign is displayed, to allow the proposed temporary off-premises directional sign to be located no more than 1,320+/- feet from the use for which the sign is displayed as depicted in Exhibit D-1 and referenced by Section 2.6.C of the MPUD document.

**JUSTIFICATION: The proposed location of the sign, generally in the middle of the Collier Blvd. frontage, is approximately 1,320+/- linear feet east of the Watercrest project site (AKA McMullen PUD).**

**The proposed signage location achieves visibility from Collier Blvd., an arterial roadway with relatively high travel speeds, and also provides adequate separation (150+/-feet) from the Hacienda Lakes signage monument and tower features at the corner of Rattlesnake Hammock Road and Collier Blvd. The sign will maintain all required setbacks from the right-of-way/property lines.**

Attachment: Attachment G - HEX Package REV 2 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

# SIGN POST AFFIDAVITS & PHOTOS

Attachment: Attachment G - HEX Package REV 2 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

**SIGN POSTING INSTRUCTIONS**

(CHAPTER 8, COLLIER COUNTY ADMINISTRATIVE CODE FOR LAND DEVELOPMENT)

A zoning sign(s) must be posted by the petitioner or the petitioner's agent on the parcel for a minimum of fifteen (15) calendar days in advance of the first public hearing and said sign(s) must be maintained by the petitioner or the petitioner's agent through the Board of County Commissioners Hearing. Below are general guidelines for signs, however these guidelines should not be construed to supersede any requirement of the LDC. For specific sign requirements, please refer to the Administrative Code, Chapter 8 E.

1. The sign(s) must be erected in full view of the public, not more than five (5) feet from the nearest street right-of-way or easement.
2. The sign(s) must be securely affixed by nails, staples, or other means to a wood frame or to a wood panel and then fastened securely to a post, or other structure. The sign may not be affixed to a tree or other foliage.
3. The petitioner or the petitioner's agent must maintain the sign(s) in place, and readable condition until the requested action has been heard and a final decision rendered. If the sign(s) is destroyed, lost, or rendered unreadable, the petitioner or the petitioner's agent must replace the sign(s

**NOTE: AFTER THE SIGN HAS BEEN POSTED, THIS AFFIDAVIT OF POSTING NOTICE SHOULD BE RETURNED NO LATER THAN TEN (10) WORKING DAYS BEFORE THE FIRST HEARING DATE TO THE ASSIGNED PLANNER.**

- - - -

# HAMMOCK PARK MPUD – INSUBSTANTIAL CHANGE
# PL2020-1952







Attachment: Attachment G - HEX Package REV 2 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliercountyfl.gov

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

# Hybrid Virtual Quasi-Judicial Public Hearing Waiver

## Emergency/Executive Order 2020-04
## Hearing of the Collier County Hearing Examiner

For Petition Number(s): PL20200001952 - Hammock Park MPUD (PDI)

Regarding the above subject petition number(s), Watercrest Senior Living Group (Name of Applicant) elects to proceed during the declared emergency with hybrid virtual public hearing of the Collier County Hearing Examiner, and waives the right to contest any procedural irregularity due to the hybrid virtual nature of the public hearing.

Name: Mark K. Chilcot Date: 4/30/2021

Signature:

☑ Applicant*

☐ Legal Counsel to Applicant

* This form must be signed by either the Applicant (if the applicant is a corporate entity, this must be an officer of the corporate entity) or the legal counsel to the Applicant.

Attachment: Attachment G - HEX Package REV 2 (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliercountyfl.gov

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

# Hybrid Virtual Quasi-Judicial Public Hearing Waiver

## Emergency/Executive Order 2020-04
## Hearing of the Collier County Hearing Examiner

For Petition Number(s): PL20200001952 - Hammock Park MPUD (PDI)

Regarding the above subject petition number(s), Watercrest Senior Living Group (Name of Applicant) elects to proceed during the declared emergency with hybrid virtual public hearing of the Collier County Hearing Examiner, and waives the right to contest any procedural irregularity due to the hybrid virtual nature of the public hearing.

Name: Mark K. Chilcot Date: 4/30/2021

Signature:

☑ Applicant*

☐ Legal Counsel to Applicant

* This form must be signed by either the Applicant (if the applicant is a corporate entity, this must be an officer of the corporate entity) or the legal counsel to the Applicant.

Attachment: Attachment H - Hybrid Hearing Waiver - EXECUTED (16029 : PL20200001952 PDI Hammock Park Commerce Centre)

**COLLIER COUNTY**
**Collier County Hearing Examiner**

**Item Number:** 3.D
**Item Summary:** PETITION No. PL20210000192 - Request for approval of a Comparable Use Determination whether the proposed use of hospital administration and allied service, limited to business offices, management, accounting, records retention, and blood banking, is comparable in nature with the permitted uses in Section 3.3.A, Naples Daily News Business Park Planned Unit Development (BPPUD), Ordinance No. 06-49, as amended, within Parcel A, BPPUD, located at 1100 Immokalee Road in Section 27, Township 48 South, Range 25 East, Collier County, Florida. [Coordinator: John Kelly, Senior Planner] Commission District 2

**Meeting Date:** 06/10/2021

---

**Prepared by:**
Title: Planner – Zoning
Name: John Kelly
05/24/2021 2:17 PM

**Submitted by:**
Title: Planner, Principal – Zoning
Name: Anita Jenkins
05/24/2021 2:17 PM

---

**Approved By:**

Review:

| | | | | |
|---|---|---|---|---|
| Growth Management Operations & Regulatory Management | Kenneth Kovensky | Review Item | Completed | |
| Hearing Examiner (GMD Approvers) | Diane Lynch | Review Item | Completed | 05/24/2021 4:15 PM |
| Zoning | Ray Bellows | Review Item | Completed | 05/24/2021 4:53 PM |
| Zoning | Anita Jenkins | Zoning Director Review | Completed | 05/25/2021 9:02 AM |
| Hearing Examiner | Andrew Dickman | Meeting Pending | 06/10/2021 9:00 AM | |

Attachment: PCUD-PL20210000192 Staff Report 052221 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

# STAFF REPORT

**TO:** COLLIER COUNTY HEARING EXAMINER

**FROM:** GROWTH MANAGEMENT DEPARTMENT
ZONING DIVISION – ZONING SERVICES SECTION

**HEARING DATE:** JUNE 10, 2021

**SUBJECT:** PCUD-PL20210000192; NAPLES DAILY NEWS BPPUD / NCH

---

## PROPERTY OWNER/AGENT:

**Owner**: NCH Healthcare System, Inc
350 7th Street North
Naples, FL 34102

**Agent(s):** Paula N. C. McMichael, AICP
Hole Montes, Inc.
950 Encore Way
Naples, FL 34110

## REQUESTED ACTION:

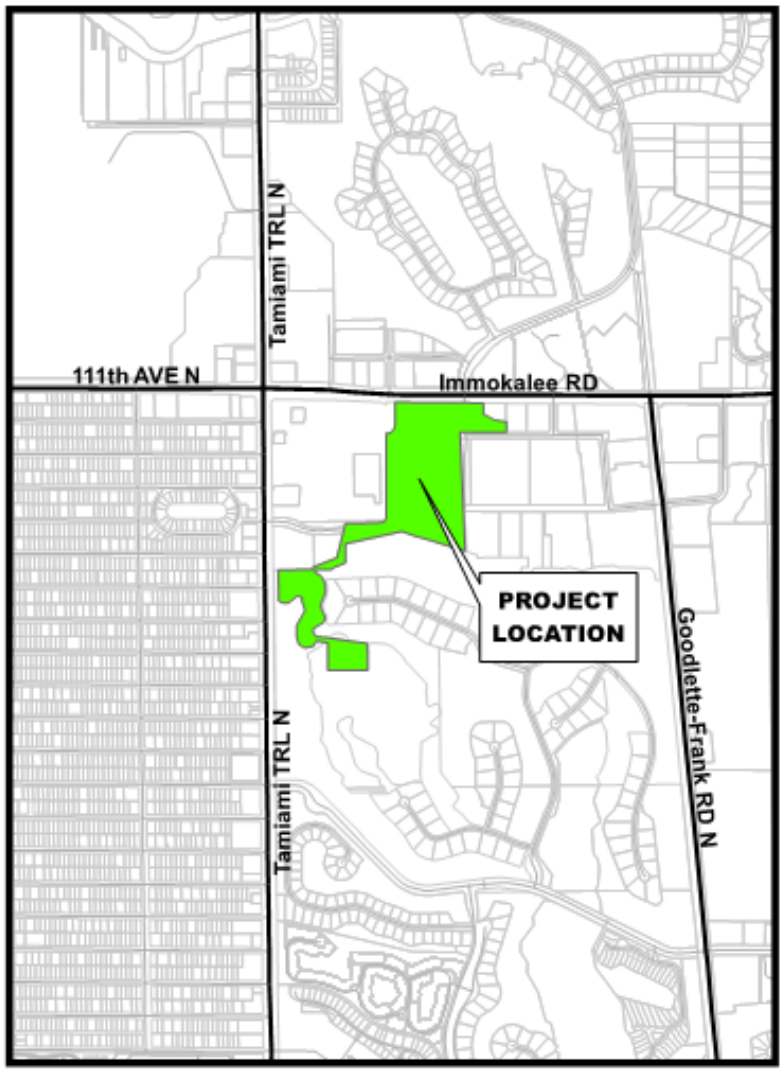
Request for a determination that the proposed use of hospital administration and allied services – limited to business offices, management, accounting, records retention and blood banking is comparable in nature with the permitted uses in Section 3.3.A, Naples Daily News Business Park Planned Unit Development (BPPUD), Ordinance No. 06-49, as amended, within Parcel A.

## GEOGRAPHIC LOCATION:

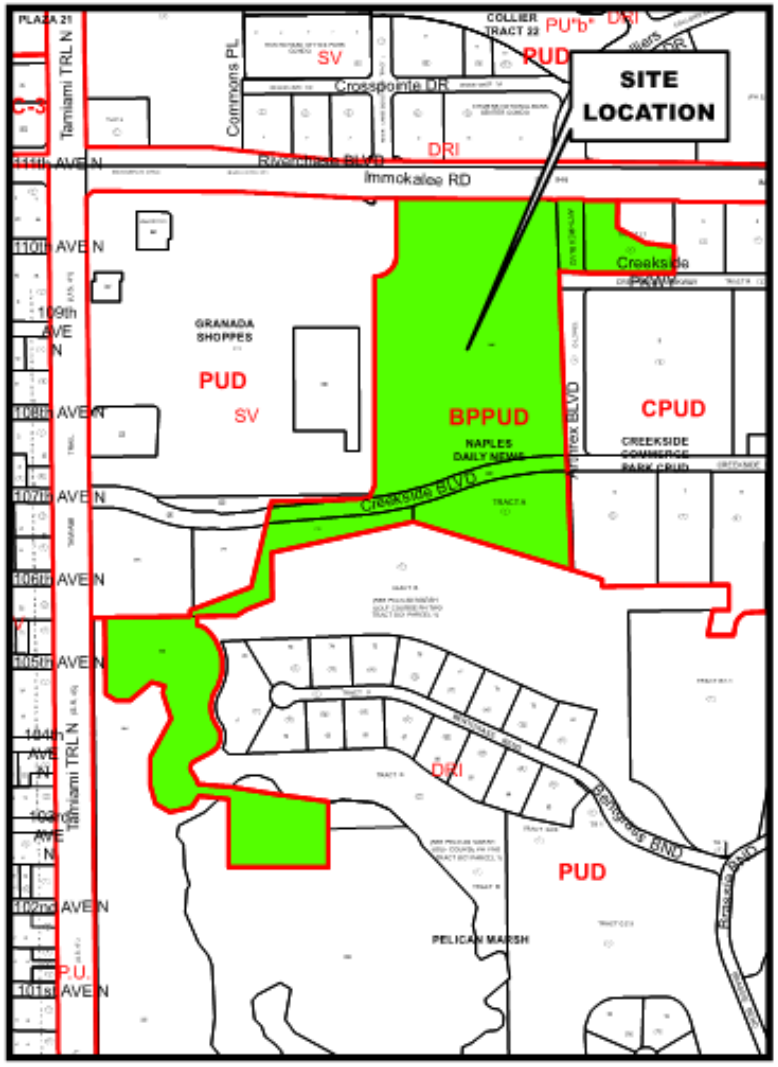
The subject 19.85± acre property, Parcel No. 00168040601, is located at 1100 Immokalee Road, on the south side of Immokalee Road (CR-846) a quarter mile east of the Intersection of Immokalee Road and Tamiami Trail North (US-41), in Section 27, Township 48 South, Range 25 East, Collier County, Florida. (*see location map on following page*)

## PURPOSE/DESCRIPTION OF PROJECT:

The petitioner has purchased the subject property which is located within Parcel A of the 35± acre Naples Daily News BPPUD. The property was developed in accord with an approved Site Development Plan, SDP-2007-AR-11770, which evidences a newspaper production and publication facility. The petitioner desires to reconfigure the existing building for use as a hospital administration facility with accessory records retention and blood banking; however, the BPPUD does not expressly permit commercial, professional, or general office uses.




Location Map




Zoning Map

Petition Number: PL20210000192



Attachment: PCUD-PL20210000192 Staff Report 052221 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

## SURROUNDING LAND USE AND ZONING:

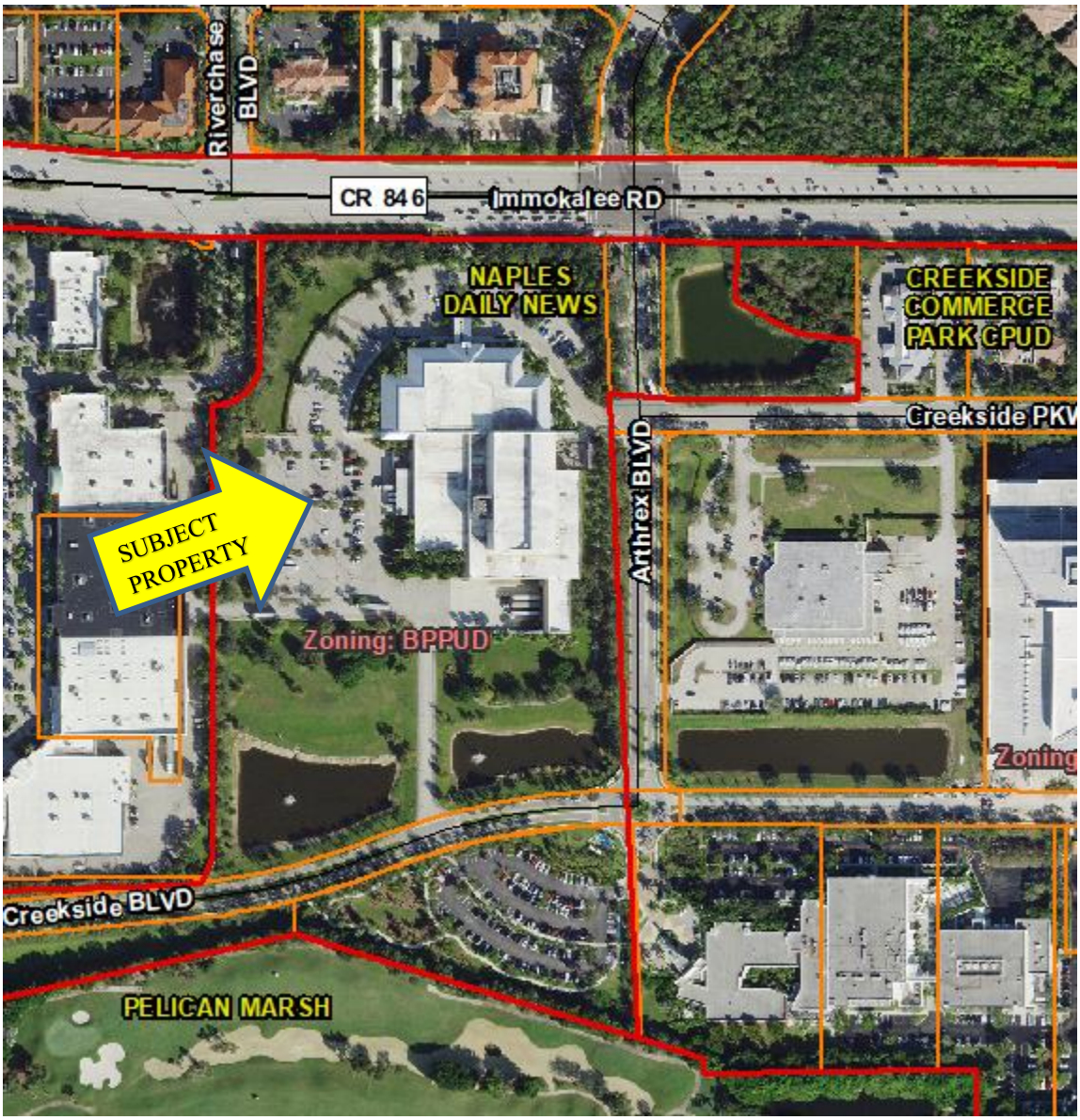
This section of the staff report identifies the land uses and zoning classifications for properties surrounding the boundaries of the subject property:

**North**: Immokalee Road (Right-of-Way) followed by two commercial office buildings each located within the Collier Tract 22 PUD

**East**: To the north a Lake within the Naples Daily News BPPUD and to the south Arthrex (Industrial/Commerce), located in Tract 4 of the Creekside Commerce Park PUD

**South**: Creekside Boulevard (Right-of-Way) then "Parcel B" within the Naples Daily News BPPUD

**West**: A Lake located within the Granada Shoppes PUD




**Collier County – GIS**

Attachment: PCUD-PL20210000192 Staff Report 052221 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

**STAFF ANALYSIS:**

In accordance with LDC Section 10.02.06.K, a Comparable Use Determination (CUD) process is to be used to determine whether a specified use is comparable in nature with the list of permitted uses and the purpose and intent statement of the specified zoning district, overlay, or PUD. CUDs are to be evaluated using the following criteria which is then presented at a public hearing for the purposes of approval, approval with conditions, or denial.

a. The proposed use possesses similar characteristics to the other permitted uses in the zoning district, overlay, or PUD, including but not limited to the following:
   i. Operating hours;
   ii. Traffic volume generated/attracted;
   iii. Type of vehicles associated with the use;
   iv. Number and type of required parking spaces; and
   v. Business practices and activities

   - The proposed uses have similar operating hours, will generate a lower volume of traffic as demonstrated by a Traffic Impact Analysis (see attachments), will involve similar types of vehicles, has similar parking requirements (see below), and will have similar business practices and activities as those of other permitted uses within Tract A of the BPPUD.

   - LDC Section 4.05.04.F.4 allows the County Manager or designee to determine the minimum parking requirements for a use which is not specifically referenced within the LDC or for which an applicant has provided evidence that a specific use is of such a unique nature that the applicable minimum parking ratio listed within the LDC should not be applied; the mechanism to obtain such approval is an Administrative Parking Reduction (APR). The existing use at this location was approved in conjunction with an approved APR, APR-2007-AR-11611, which served to reduce the quantity of required parking spaces on the subject property from the LDC requirement of 469 to 346 (see attachments). The subject APR will be voided upon any change of use which requires the applicant for this CUD to seek a similar APR. The applicant has submitted an APR application, PL20210000638, to reflect parking requirements for office and storage space. Said APR has been approved to reduce the required parking from the required 367 to 350 spaces which already exist as per the SDP (see attached).

b. The effect the proposed use would have on neighboring properties in relation to the noise, glare, or odor effects shall be no greater than that of other permitted uses in the zoning district, overlay, or PUD.

   - It is anticipated that noise and odor would be reduced as no printing press will be in operation; glare, if any, will not be increased from that which may presently exist.

c. The proposed use is consistent with the GMP, meaning the applicable future land use designation does not specifically prohibit the proposed use, and, where the future land use designation contains a specific list of allowable uses, the proposed use is not omitted.

Attachment: PCUD-PL20210000192 Staff Report 052221 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

- The subject property is within the Urban Mixed Use District, Urban Residential Subdistrict as identified on the Future Land Use Map (FLUM) of the Future Land Use Element (FLUE).The purpose of the Urban Mixed Use District, Urban Residential Subdistrict is to provide for a variety of residential and non-residential developments such as PUDs. The proposed uses are among those allowable uses listed in the Business Park Subdistrict.

d. The proposed use shall be compatible and consistent with the other permitted uses in the zoning district, overlay, or PUD.

- The applicant has demonstrated that the following uses are listed as being allowable within Parcel A of the Business Park element of the BPPUD:

  i. Communications (Specifically SIC 4822);
  ii. Motion picture production (specifically SIC 7819);
  iii. Information management and software; and
  iv. Printing and business support services

- Given the analysis provided, staff concurs with the applicant that the aforementioned uses have similar operational characteristics. Additionally, the provided Traffic Impact Analysis finds that the proposed development scenario is less intense when compared to existing development conditions. The proposed use of hospital administration and allied services – limited to business offices, management, accounting, records retention and blood banking is therefore deemed to be compatible and consistent

e. Any additional relevant information as may be required by County Manager or Designee.

- None.

Zoning staff notes that Collier County uses the Standard Industrial Classification Manual (SIC) published in 1987 to define specific business types within most of the Commercial and Industrial zoning districts, including PUDs, within the County. This specific BPPUD strays from that practice in that it also incorporates business types without using specific classifications. With that said, the County determined long ago that general office uses are classifiable as a business type; rather, the SIC classifies the business such offices support. In this case, the SIC would recognize hospitals as the primary use; the business offices supporting the hospital would are secondary and not classified. As such, within the permitted use section of each of the primary commercial zoning designations the following uses are allowed:

> *Any other commercial use or professional services which is comparable in nature with the foregoing uses including those that exclusively serve the administrative as opposed to the operational functions of a business and are purely associated with activities conducted in an office.*

Given this information, staff is of the opinion that administrative and office uses support most, if not all, types of businesses and that there is not a corresponding SIC classification to capture an administrative facility. Zoning staff opines that any of the listed permitted business uses could have administrative offices as a secondary use and is further of the opinion that absent a printing

Attachment: PCUD-PL20210000192 Staff Report 052221 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

operation, a newspaper publication facility would have had such administrative offices for the following: editorial functions, accounts payable/receivable, sales, purchasing, and general management offices.

Transportation Planning staff has evaluated the proposed comparable use determination request. As noted in the traffic analysis portion of the application there is a potential reduction in the number of trips generated by the proposed uses compared to those uses allowed currently by the BPPUD. Transportation staff finds that the analysis is accurate and presents no issues with the Transportation GMP consistency elements. Transportation Planning Staff finds the petition consistent with the GMP and recommends approval.

**CONCURRENT LAND USE APPLICATIONS:**

An Administrative Parking Reduction, APR-PL20210000638, has been approved to reduce the quantity of required parking at this location based upon the proposed use of hospital administration and allied services – limited to business offices, management, accounting, records retention and blood banking (see attached).

**PUBLIC NOTICE):**

Per LDC Section 10.03.06.O and the Administrative Code the following notice procedures are required for: Newspaper Advertisement prior to the advertised public hearing in accordance with F.S. § 125.66. This requirement was satisfied by county staff on or about May 21, 2021.

A Comparable Use Determination petition does not require an Agent Letter, Property Owner Notification Letter, Neighborhood Information Meeting, or the posting of a sign on the property.

**RECOMMENDATION:**

Staff recommends that the Collier County Hearing Examiner determine that the use of hospital administration and allied services – limited to business offices, management, accounting, records retention and blood banking is comparable and compatible with the Business Park – Tract A permitted uses contained within Section 3.3.A of the Naples Daily News BPPUD.

Attachments:

A) Ordinance 06-49, NDN-BPPUD
B) Ordinance 11-09, Amendment to the NDN-BPPUD
C) Administrative Parking Reduction - APR-PL20210000638
D) Administrative Parking Reduction – APR-2007-AR-1611
E) Application and Back-up Material
F) HEX Hybrid Meeting Waiver

Attachment: PCUD-PL20210000192 Staff Report 052221 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)




ORDINANCE NO. 06 - 49

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA AMENDING ORDINANCE NUMBER 2004-41, AS AMENDED, THE COLLIER COUNTY LAND DEVELOPMENT CODE WHICH INCLUDES THE COMPREHENSIVE ZONING REGULATIONS FOR THE UNINCORPORATED AREA OF COLLIER COUNTY, FLORIDA BY AMENDING THE APPROPRIATE ZONING ATLAS MAP OR MAPS BY CHANGING THE ZONING CLASSIFICATION OF THE HEREIN DESCRIBED REAL PROPERTY FROM RURAL AGRICULTURE (A) AND CREEKSIDE COMMERCE PARK PUD ZONING DISTRICTS TO A BUSINESS PARK PLANNED UNIT DEVELOPMENT ZONING DISTRICT TO BE KNOWN AS THE NAPLES DAILY NEWS BPPUD AND LOCATED, IN SECTION 27, TOWNSHIP 48 SOUTH, RANGE 25 EAST, COLLIER COUNTY, FLORIDA, CONSISTING OF 35.24 ACRES; AND BY PROVIDING AN EFFECTIVE DATE.

WHEREAS, D. Wayne Arnold, AICP, of Q. Grady Minor & Assoc., P.A., representing Collier Publishing Company, Inc., d/b/a Naples Daily News, petitioned the Board of County Commissioners to change the zoning classification of the herein described real property.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, that:

SECTION ONE:

The zoning classification of the herein described real property located in Section 27, Township 48 South, Range 25 East, Collier County, Florida, is changed from the Rural Agriculture (A) and Creekside Commerce Park PUD Zoning Districts to Business Park Planned Unit Development Zoning District for a project known as Naples Daily News Business Park Planned Unit Development (BPPUD) in accordance with the BPPUD Document, attached hereto as Exhibit "A" and incorporated by reference herein. The appropriate zoning atlas map or maps as described in Ordinance Number 2004-41, as amended, the Collier County Land Development Code, is/are hereby amended accordingly.

SECTION TWO:

This Ordinance shall become effective upon filing with the Florida Department of State.

PASSED AND DULY ADOPTED by super majority vote of the Board of County Commissioners of Collier County, Florida, this 24th day of October, 2006.



Attachment: Attachment A - Ord. 06-49 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

ATTEST:
DWIGHT E. BROCK,CLERK

By: _____ Deputy Clerk
Attest as to Chairman signature only.

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

BY: _____
FRANK HALAS, CHAIRMAN

Approved as to form
and legal sufficiency

Marjorie M. Student-Stirling
Marjorie M. Student-Stirling
Assistant County Attorney

PUDZ-2005-AR-8833/MJD/sp

This ordinance filed with the Secretary of State's Office the 3rd day of Nov., 2006 and acknowledgement of that filing received this 9th day of Nov. 2006.
By: _____ Deputy Clerk



Attachment: Attachment A - Ord. 06-49 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

# NAPLES DAILY NEWS

A

# BUSINESS PARK PLANNED UNIT DEVELOPMENT

PREPARED FOR:

COLLIER PUBLISHING COMPANY, INC.
Naples Daily News
1075 Central Avenue
Naples, FL 34102

PREPARED BY:

Q. GRADY MINOR AND ASSOCIATES, P.A.
3800 Via Del Rey
Bonita Springs, FL 34134
(239) 947-1144
(239) 947-0375 (fax)

and

ROETZEL & ANDRESS, L.P.A.
850 Park Shore Drive
Trianon Center, 3rd Floor
(239) 649-2708
(239) 261-3659 (fax)
Naples, FL 34103

DATE FILED 10/24/2006
DATE APPROVED BY CCPC
DATE APPROVED BY BCC 10/24/2006
ORDINANCE NUMBER 2006-49

EXHIBIT "A"

Attachment: Attachment A - Ord. 06-49 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

# TABLE OF CONTENTS


| | | PAGE |
|---|---|---|
| STATEMENT OF COMPLIANCE AND SHORT TITLE | | iii |
| SECTION I | LEGAL DESCRIPTION, PROPERTY OWNERSHIP, & GENERAL DESCRIPTION | 1-1 |
| SECTION II | PROJECT DEVELOPMENT | 2-1 |
| SECTION III | BUSINESS PARK | 3-1 |
| SECTION IV | PRESERVE | 4-1 |
| SECTION V | OPEN SPACE | 5-1 |
| SECTION VI | GENERAL DEVELOPMENT COMMITMENTS | 6-1 |


Attachment: Attachment A - Ord. 06-49 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

## LIST OF EXHIBITS


| | |
|---|---|
| EXHIBIT A | NAPLES DAILY NEWS BUSINESS PARK BPPUD MASTER PLAN |
| EXHIBIT B | BOUNDARY SURVEY |
| EXHIBIT C | LOCATION MAP |
| EXHIBIT D | DEVIATIONS |
| EXHIBIT E | CONCEPTUAL PARK / PARKLET PLAN |
| EXHIBIT F | CONCEPTUAL WATER MANAGEMENT PLAN |
| EXHIBIT G | WATER MANAGEMENT MEMORANDUM |
| EXHIBIT H | CONCEPTUAL LANDSCAPE PLAN |


Attachment: Attachment A - Ord. 06-49 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

## STATEMENT OF COMPLIANCE

The purpose of this Section is to express the intent of Collier County Publishing Company dba Naples Daily News and Ocean Boulevard Partnership and Ocean Boulevard Partnership II, hereinafter referred to as the developer, to create a Business Park Planned Unit Development (BPPUD) on 35± acres of land located in Section 27, Township 48 South, Range 25 East, Collier County, Florida. The name of this Business Planned Unit Development (BPPUD) shall be Naples Daily News BPPUD. The development of the Naples Daily News BPPUD will be in compliance with the planning goals and objectives of Collier County as set forth in the Growth Management Plan, Business Park Subdistrict. The development will be consistent with the growth policies and land development regulations adopted thereunder of the Growth Management Plan Future Land Use Element and other applicable regulations for the following reasons:

1. The subject property is within the Urban Mixed Use District, Urban Residential Subdistrict as identified on the Future Land Use Map of the Future Land Use Element (FLUE). The purpose of the Urban Mixed Use District, Urban Residential Subdistrict is to provide for a variety of residential and non-residential developments such as Planned Unit Developments. Pursuant to the FLUE, Business Parks are allowed as a Subdistrict in an Urban-Mixed Use District.

2. The Naples Daily News BPPUD is compatible with and complementary to existing and future surrounding land uses as required in Policy 5.4 of the FLUE. The project lies between developed industrial and commercial planned developments, and the uses, development standards, buffers and open spaces are compatible with neighboring properties.

3. Improvements will be in compliance with all applicable land development regulations.

4. The development of the Naples Daily News BPPUD will result in an efficient and economical extension of community facilities and services.

5. The Naples Daily News BPPUD complies with the location and development criteria for business parks as found in the Business Park Subdistrict of the Future Land Use Element of the Collier County Growth Management Plan.

6. All final local development orders for this project are subject to the Collier County Adequate Public Facilities Ordinance.

7. The Naples Daily News BPPUD is in compliance with Objective 7 and its implementing policies of the Future Land Use Element, in that interconnections to surrounding development have been provided for vehicular and pedestrian access. The conceptual location of the interconnection(s) have been shown on the conceptual master plan.

Attachment: Attachment A - Ord. 06-49 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

8. Access to the Naples Daily News BPPUD is presently provided to Immokalee Road (via Creekside Way), an arterial roadway and to Creekside Boulevard.

Attachment: Attachment A - Ord. 06-49 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

## SHORT TITLE

This ordinance shall be known and cited as the "NAPLES DAILY NEWS BUSINESS PARK PLANNED UNIT DEVELOPMENT ORDINANCE".

Attachment: Attachment A - Ord. 06-49 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

# SECTION I

## LEGAL DESCRIPTION, PROPERTY OWNERSHIP, AND GENERAL DESCRIPTION

### 1.1 PURPOSE

The purpose of this Section is to set forth the legal description and ownership of the Naples Daily News BPPUD, and to describe the existing condition of the property proposed to be developed.

### 1.2 LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 48 SOUTH, RANGE 25 EAST, COLLIER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 27, TOWNSHIP 48 SOUTH, RANGE 25 EAST, COLLIER COUNTY, FLORIDA; THENCE RUN SOUTH 00°38'43" EAST, ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 27, ALSO BEING THE EAST RIGHT-OF-WAY OF U.S. 41 FOR A DISTANCE OF 125.02 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY OF IMMOKALEE ROAD; THENCE RUN NORTH 44°38'23" EAST, ALONG SAID SOUTH RIGHT-OF-WAY FOR A DISTANCE OF 34.99 FEET; THENCE RUN SOUTH 89°45'00" EAST, ALONG SAID SOUTH RIGHT-OF-WAY FOR A DISTANCE OF 573.45 FEET; THENCE RUN SOUTH 86°53'15" EAST, ALONG SAID SOUTH RIGHT-OF-WAY FOR A DISTANCE OF 500.61 FEET; THENCE RUN SOUTH 89°45'00" EAST, ALONG SAID SOUTH RIGHT-OF-WAY FOR A DISTANCE OF 134.22 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE SOUTH 89°45'00" EAST FOR A DISTANCE OF 599.23 FEET; THENCE RUN SOUTH 00°15'00" WEST FOR A DISTANCE OF 5.00 FEET; THENCE RUN SOUTH 89°45'00" EAST FOR A DISTANCE OF 35.04 FEET; THENCE RUN NORTH 02°33'13" WEST FOR A DISTANCE OF 5.01 FEET; THENCE RUN SOUTH 89°45'00" EAST FOR A DISTANCE OF 249.45 FEET; THENCE RUN SOUTH 00°25'51" WEST FOR A DISTANCE OF 107.22 FEET; THENCE RUN SOUTH 60°02'56" EAST FOR A DISTANCE OF 117.20 FEET; THENCE RUN SOUTH 82°32'14" EAST FOR A DISTANCE OF 119.17 FEET; THENCE RUN SOUTH 00°07'39" EAST FOR A DISTANCE OF 111.93 FEET; THENCE RUN NORTH 89°58'01" WEST FOR A DISTANCE OF 456.64 FEET; THENCE RUN SOUTH 02°19'57" EAST FOR A DISTANCE OF 1,179.69 FEET; THENCE RUN NORTH 72°59'03" WEST FOR A DISTANCE OF 656.88 FEET; THENCE RUN SOUTH 77°43'40" WEST FOR A DISTANCE OF 573.75 FEET; THENCE RUN SOUTH 00°39'12" EAST FOR A DISTANCE OF 187.52 FEET; THENCE RUN SOUTH 68°35'21" WEST FOR A DISTANCE OF 110.88 FEET; THENCE RUN SOUTH 57°47'59" WEST FOR A DISTANCE OF 46.92 FEET; THENCE RUN SOUTH 89°20'45" WEST FOR A DISTANCE OF 156.34 FEET; THENCE RUN SOUTH 00°39'15" EAST FOR A DISTANCE OF 34.09 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE SOUTHWEST, WHOSE RADIUS POINT BEARS SOUTH 06°18'10" WEST, A DISTANCE OF 70.00 FEET THEREFROM; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 70.00 FEET, THROUGH A CENTRAL ANGLE OF 38°45'24", SUBTENDED BY A CHORD OF 46.45 FEET AT A BEARING OF SOUTH 64°19'08" EAST, FOR A DISTANCE OF 47.35 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE WEST, WHOSE RADIUS POINT BEARS SOUTH 45°03'34" WEST, A DISTANCE OF 197.21 FEET THEREFROM; THENCE RUN SOUTHERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 197.21 FEET, THROUGH A CENTRAL ANGLE OF 75°24'07", SUBTENDED BY A CHORD OF 241.20 FEET AT A BEARING OF SOUTH 07°14'23" EAST, FOR A DISTANCE OF 259.53 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE EAST, WHOSE RADIUS POINT BEARS

Attachment: Attachment A - Ord. 06-49 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

SOUTH 59°32'19" EAST, A DISTANCE OF 130.00 FEET THEREFROM; THENCE RUN SOUTHERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 130.00 FEET, THROUGH A CENTRAL ANGLE OF 66°43'37", SUBTENDED BY A CHORD OF 142.99 FEET AT A BEARING OF SOUTH 02°54'08" EAST, FOR A DISTANCE OF 151.40 FEET TO A POINT OF REVERSE CURVATURE; THENCE RUN SOUTHERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 70.00 FEET, THROUGH A CENTRAL ANGLE OF 98°24'12", SUBTENDED BY A CHORD OF 105.98 FEET AT A BEARING OF SOUTH 12°56'10" WEST, FOR A DISTANCE OF 120.22 FEET TO THE END OF SAID CURVE; THENCE RUN SOUTH 62°08'16" WEST FOR A DISTANCE OF 75.07 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE CONCAVE EAST; THENCE RUN SOUTHERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 30.00 FEET; THROUGH A CENTRAL ANGLE OF 93°06'13"; SUBTENDED BY A CHORD OF 43.56 FEET AT A BEARING OF SOUTH 15°35'09" WEST, FOR A DISTANCE OF 48.75 FEET TO THE END OF SAID CURVE; THENCE RUN SOUTH 30°57'58" EAST FOR A DISTANCE OF 34.79 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE CONCAVE SOUTHWEST; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 80.00 FEET; THROUGH A CENTRAL ANGLE OF 14°16'42"; SUBTENDED BY A CHORD OF 19.88 FEET AT A BEARING OF SOUTH 23°49'37" EAST, FOR A DISTANCE OF 19.94 FEET TO THE END OF SAID CURVE; THENCE RUN SOUTH 84°13'14" EAST FOR A DISTANCE OF 158.41 FEET; THENCE RUN SOUTH 80°55'24" EAST FOR A DISTANCE OF 183.78 FEET; THENCE RUN SOUTH 81°52'51" EAST FOR A DISTANCE OF 180.90 FEET; THENCE RUN SOUTH FOR A DISTANCE OF 261.28 FEET; THENCE RUN WEST FOR A DISTANCE OF 394.57 FEET; THENCE RUN NORTH FOR A DISTANCE OF 271.73 FEET; THENCE RUN NORTH 84°13'14" WEST FOR A DISTANCE OF 120.32 FEET; THENCE RUN SOUTH 33°05'40" WEST FOR A DISTANCE OF 54.13 FEET; THENCE RUN SOUTH 76°56'51" WEST FOR A DISTANCE OF 89.04 FEET; THENCE RUN NORTH 58°35'21" WEST FOR A DISTANCE OF 65.19 FEET; THENCE RUN NORTH 15°31'55" WEST FOR A DISTANCE OF 74.80 FEET; THENCE RUN NORTH 00°41'41" WEST FOR A DISTANCE OF 115.24 FEET; THENCE RUN NORTH 28°22'47" EAST FOR A DISTANCE OF 171.51 FEET; THENCE RUN NORTH 17°11'45" WEST FOR A DISTANCE OF 106.79 FEET; THENCE RUN NORTH 13°02'52" EAST FOR A DISTANCE OF 28.51 FEET; THENCE RUN NORTH 73°36'14" WEST FOR A DISTANCE OF 54.78 FEET; THENCE RUN SOUTH 49°16'08" WEST FOR A DISTANCE OF 112.78 FEET; THENCE RUN SOUTH 89°47'08" WEST FOR A DISTANCE OF 53.08 FEET; THENCE RUN NORTH 58°00'49" WEST FOR A DISTANCE OF 50.49 FEET; THENCE RUN NORTH 00°39'12" WEST FOR A DISTANCE OF 303.48 FEET; THENCE RUN NORTH 89°20'45" EAST FOR A DISTANCE OF 341.45 FEET; THENCE RUN NORTH 00°39'15" WEST FOR A DISTANCE OF 25.00 FEET; THENCE RUN NORTH 69°14'15" EAST FOR A DISTANCE OF 258.29 FEET; THENCE RUN NORTH 13°26'32" EAST FOR A DISTANCE OF 348.97 FEET; TO A POINT ON A CIRCULAR CURVE CONCAVE NORTH, WHOSE RADIUS POINT BEARS NORTH 03°17'21" EAST, A DISTANCE OF 936.00 FEET THEREFROM; THENCE RUN EASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 936.00 FEET, THROUGH A CENTRAL ANGLE OF 06°23'14", SUBTENDED BY A CHORD OF 104.29 FEET AT A BEARING OF SOUTH 89°54'16" EAST, FOR A DISTANCE OF 104.34 FEET TO THE END OF SAID CURVE; THENCE RUN NORTH 86°54'07" EAST FOR A DISTANCE OF 258.32 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE CONCAVE NORTHWEST; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 50.00 FEET; THROUGH A CENTRAL ANGLE OF 86°54'07"; SUBTENDED BY A CHORD OF 68.77 FEET AT A BEARING OF NORTH 43°27'04" EAST, FOR A DISTANCE OF 75.84 FEET TO THE END OF SAID CURVE; THENCE RUN NORTH FOR A DISTANCE OF 830.91 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE NORTHWEST, WHOSE RADIUS POINT BEARS NORTH, A DISTANCE OF 85.00 FEET THEREFROM; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 85.00 FEET, THROUGH A CENTRAL ANGLE OF 90°00'00", SUBTENDED BY A CHORD OF 120.21 FEET AT A BEARING OF NORTH 45°00'00" EAST, FOR A DISTANCE OF 133.52 FEET TO THE END OF SAID CURVE; THENCE RUN

Attachment: Attachment A - Ord. 06-49 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

NORTH FOR A DISTANCE OF 224.63 FEET TO THE POINT OF BEGINNING; CONTAINING 35.24 ACRES, MORE OR LESS.

## 1.3 PROPERTY OWNERSHIP

Folio #'s 29331190521 and 29331190660
Creekside Commerce Park Property Owners Association, Inc.
2600 Golden Gate Parkway
Naples, Florida 34105

Folio #'s 00168040601 and 00168046003
Ocean Boulevard Partnership II
2600 Golden Gate Parkway
Naples, Florida 34105

Folio #'s 00168042900
Ocean Boulevard Partnership
2600 Golden Gate Parkway
Naples, Florida 34105

Folio #'s 00168042803
Ocean Boulevard Partnership II
Ocean Boulevard Partnership
2600 Golden Gate Parkway
Naples, Florida 34105

Contract Purchaser:

Folio #'s 00168040601, 001680429000, 00168042803, and 00168046003
Collier Publishing Company, Inc.
dba Naples Daily News
1075 Central Avenue
Naples, Florida 34102

## 1.4 GENERAL AND PHYSICAL DESCRIPTION OF PROPERTY

A. The project site is located in Section 27, Township 48 South, Range 25 East. The site is bordered on the north by Immokalee Road, on the south by Pelican Marsh PUD/DRI, on the east by the Creekside Commerce Park PUD and Pelican Marsh PUD/DRI, and the west by Pelican Marsh PUD/DRI and Granada Shoppes PUD.

B. The zoning classification of the subject property at the time of BPPUD application was A, Rural Agriculture, and Creekside Commerce Park PUD.

Attachment: Attachment A - Ord. 06-49 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

C. Elevations within the site are approximately 8' above MSL, per FEMA Firm Map Panel No. 120067 193 D, dated June 3, 1986. The property is located within flood zone AE (11).

D. A majority of the site has been altered due to ongoing agricultural operations. A portion of the site lying adjacent to Pelican Marsh does contain native vegetation which is to be retained and designated as a preserve area on the conceptual master plan.

E. The soil types on the site generally include Myakka and Satellite Fine Sand and Halopaw and Okeelanta depressional soils. This information was derived from the Soil Survey of Collier County Area, Florida, 1998.

F. The project site is located within the Collier County Water Management District Pine Ridge Canal Basin.

G. Industrial, light industrial and accessory uses shall be permitted within Business Park designated portions of the project.

Attachment: Attachment A - Ord. 06-49 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

## SECTION II
## PROJECT DEVELOPMENT

### 2.1 PURPOSE

The purpose of this Section is to generally describe the plan of development for the Naples Daily News BPPUD, and to identify relationships to applicable County ordinances, policies, and procedures.

### 2.2 GENERAL DESCRIPTION OF PROJECT PLAN AND PROPOSED LAND USES

A. The Naples Daily News BPPUD will be developed as a business park providing for industrial and light industrial uses including but not limited to multi-media publishing, printing, broadcasting and other communication and information technologies, and mediums and accessory uses, consistent with the Business Park Sub-district of the Urban Mixed Use District of the Future Land Use Element of the Collier County Growth Management Plan as set forth more specifically in Section 3.3 of this BPPUD.

B. The Master Plan is illustrated graphically on Exhibit "A". A Land Use Summary indicating approximate land use acreages is shown on the plan. The master plan is conceptual, and the location, size, and configuration of individual tracts and access to tracts shall be determined at the time of final site development plan and/or preliminary subdivision plat approval with minor adjustments at the time of final plat approval.

### 2.3 COMPLIANCE WITH COUNTY ORDINANCES

A. Regulations for development of the Naples Daily News BPPUD shall be in accordance with the contents of this BPPUD Ordinance and applicable sections of the Collier County Land Development Code ("LDC") and the Collier County Growth Management Plan which are in effect at the time of issuance of any development order to which said regulations relate. Where this BPPUD Ordinance does not provide developmental standards, then the provisions of the specific section of the LDC that is otherwise applicable shall apply. The regulations of the LDC shall apply to this BPPUD zoning district except as follows:

1. Where a deviation or deviations from the provisions of the LDC have been requested as part of the application for PUD zoning and approved by the Board of County Commissioners (BCC).

2. Where a substitution or substitutions to a design standard or standards have been or will be requested by the applicant pursuant to the LDC.

Attachment: Attachment A - Ord. 06-49 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

3. Where the land uses and development standards which include but are not limited to setbacks, height requirements, minimum lot area, are set forth as a part of this BPPUD Document.

4. Where there are standards set forth within this BPPUD Document that are more strict than the standards set forth in the LDC.

5. Where there are standards set forth in this BPPUD Document not addressed by the LDC

B. Unless otherwise defined herein, or as necessarily implied by context, the definitions of all terms shall be the same as the definitions set forth in the LDC in effect at the time of development order application.

C. Development permitted by the approval of this BPPUD will be subject to the Adequate Public Facilities Ordinance, Ordinance Number 04-08.

D. All conditions imposed and all graphic material presented depicting restrictions for the development of the Naples Daily News BPPUD shall become part of the regulations which govern the manner in which the BPPUD site may be developed.

## 2.4 DEVIATIONS

A. A deviation from LDC, Section 4.06.02.C.5 requirement to construct a twenty-five foot (25') wide landscape buffer along Immokalee Road to provide a twenty-five foot (25') wide landscape buffer, without a six foot (6') high wall, berm or wall and berm combination.

B. A deviation from LDC Section 4.02.13.G and Section 4.06.02.C.5, which requires a business park to provide a 25' wide landscape buffer around the entire boundary of a business park, to permit the following buffers:

1. East – 25' wide buffer adjacent Creekside Commerce Park, without a wall or berm.

2. West – 25' wide buffer adjacent to Granada Shoppes PUD, without a wall or berm.

3. South – the 25' wide existing buffer and berm adjacent to the Pelican Marsh PUD shall be maintained for that portion of the Naples Daily News BPPUD located west and south of the existing berm and designated as open space, preserve, or lake area and supplemental plantings shall be consistent with Section 2.9.D.

C. A deviation from LDC Section 4.06.02.A.3, Buffer Requirements.



Attachment: Attachment A - Ord. 06-49 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

A request to permit required landscape buffers and signs within recorded water and wastewater easements consistent with grant of easement restrictions as recorded in O.R. Book 2712, Pages 0624 – 0626, and O.R. Book 2712, Pages 0610 – 0612.

## 2.5 ROADWAYS

A Roadways within the Naples Daily News BPPUD may be public or private. Standards for roads and driveways shall be in compliance with the applicable provisions of the LDC regulating subdivisions, unless otherwise modified, waived or excepted by this PUD or approved during preliminary subdivision plat approval or site development plan approval. The developer reserves the right to request substitutions to Code design standards in accordance the LDC or Code of Laws and Ordinances.

## 2.6 USE OF RIGHTS-OF-WAY

Utilization of lands within all project rights-of-way or access easements for landscaping, decorative entrance ways, and signage purposes shall be allowed subject to review and administrative approval by the Collier County Manager or his designee taking into account engineering and safety considerations during the development review process and prior to any installations.

## 2.7 CHANGES AND AMENDMENTS TO BPPUD DOCUMENT OR BPPUD MASTER PLAN

Changes and amendments may be made to this BPPUD Ordinance, BPPUD Master Plan as provided in Chapter 10 of the LDC.

## 2.8 COMMON AREA MAINTENANCE

Provisions for the perpetual maintenance of common facilities and open spaces will be provided by a Property Owners' Association or similar entity, as set forth in the LDC.

Attachment: Attachment A - Ord. 06-49 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

## 2.9 LANDSCAPE BUFFERS, BERMS, FENCES AND WALLS

Landscape buffers, berms, fences and walls are generally permitted as a principal use throughout the Naples Daily News BPPUD. The following standards shall apply:

A. Landscape berms shall have the following maximum side slopes:

i) Ground covered berms 3:1
ii) Rip-Rap berms 2:1
iii) Structural walled berms

B. Landscape buffers, berms, fences and walls may be constructed along the perimeter of the Naples Daily News Business Park BPPUD boundary prior to preliminary subdivision plat and site development plan submittal.

C. In order to minimize the visibility of loading and vehicular service areas on the western side of the Naples Daily News Business Park BPPUD, the applicant, at the time of SDP submittal, will provide vegetative or physical screening at strategic locations. The screening may include appropriate buffer treatments, as well as, specific vegetative or physical screening located in close proximity to the service areas as methods to reduce visibility from adjacent property.

D. The developer will supplement the existing ficus hedge which presently serves as a buffer between the proposed BPPUD and the Bay Colony Development with 80 live oak trees 12 feet high with a minimum spread of 6 feet at the time of planting. Additionally these oak trees will be supplemented with ficus trees, to the extent the County will allow the use of ficus trees, to create an opaque buffer. The developer agrees to work with the Bay Colony Property Owners' Association to gain County approval for the use of the ficus trees. The supplementary oak and ficus trees will be located in the buffer area at field selected locations between the Creekside PUD on the east and the point on the west where the buffer turns south. This distance is approximately 1,100 feet.

In the event that the ficus hedge is damaged by a windstorm to the extent of a reduction in the opaque value of 50% or more, the developer agrees to replace or reset, whichever is appropriate, any of the 80 live oak trees installed above and install or reset the ficus trees as necessary to restore the buffer as close to its pre-storm condition as reasonably possible considering the availability of tree materials at the time of the restoration.

E. The southerly portion of Parcel A shall be heavily planted with trees and shrubs to create the needed park-like setting to buffer the noise and odor impacts from printing activities.

Attachment: Attachment A - Ord. 06-49 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

F. The developer shall provide additional trees in an amount that equals 30% of the minimum tree requirements set forth in the LDC. Additional vegetative material shall be installed near the intersection of Immokalee Road and Creekside Way in substantial compliance with Exhibit H, Conceptual Landscape Plan. The landscaping located on the Immokalee Road frontage shall be in substantial compliance with Exhibit H and shall consist of oak trees and shrubs.

## 2.10 DESIGN GUIDELINES AND STANDARDS

A. The Collier County Planned Unit Development District is intended to encourage ingenuity, innovation and imagination in the planning, design and development or redevelopment of land under unified ownership or control, as set forth in of the LDC.

B. The Naples Daily News Business Park BPPUD is a planned community and will be developed under unified control. The developer will establish approved design guidelines and standards for business services, commercial uses, and related community features and facilities, which include features and facilities such as landscaping, signage, lighting, pedestrian systems, fences, buffers, and other similar facilities.

C. All business park land uses shall be subject to Chapter 5 of the LDC, as applicable, except where a deviation was approved. For purposes of this BPPUD, any building façade facing the required extension of Creekside Way shall not be considered a primary façade.

D. Please refer to Section 3.4.C.6 of the BPPUD for additional building design standards.

## 2.11 SUBDIVISION PLAT / SDP PHASING

Submission, review, and approval of preliminary or final subdivision plats or site development plans for the project may be accomplished in phases to correspond with the planned development of the property.

## 2.12 GENERAL PERMITTED USES

Certain uses listed below shall be considered general permitted uses throughout the Naples Daily News BPPUD, except where in conflict with any conservation easement. General permitted uses are those uses which generally serve the developer and residents of the Naples Daily News BPPUD and are typically part of the common infrastructure or are considered community facilities.

A. General Permitted Uses:



Attachment: Attachment A - Ord. 06-49 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

1. Essential services as set forth under LDC, Chapter 2.

2. Water management facilities and related structures.

3. Lakes including lakes with bulkheads, bridges, or other architectural or structural bank treatments.

4. Community recreational facilities.

5. Temporary construction, sales, and administrative offices for the developer and developer's authorized contractors and consultants, including the necessary access ways, parking areas and related uses to serve such offices.

6. Landscape features including, but not limited to, landscape buffers, berms, fences and walls subject to the standards set forth in Section 2.9 of this BPPUD.

7. Directional and informational signage, real estate signs, or project monument signage

8. Any other use which is comparable in nature with the foregoing list of permitted principal uses, as determined by the Board of Zoning Appeals (BZA).

B. Development Standards:

Unless otherwise set forth in this Document, the following development standards shall apply to structures:

1. Setback from back of curb or edge of pavement of any road - Ten feet (10'), except for signage located within medians.

2. Setback from BPPUD boundary: Fifteen feet (15'), except that signage shall be in compliance with the LDC or as specified in the Naples Daily News BPPUD.

3. Minimum distance between unrelated structures - Fifteen feet (15').

4. Setback from lake/water management area: Twenty feet (20').

5. Maximum height of structures – Thirty-five feet (35') as measured from required minimum flood elevation.

Attachment: Attachment A - Ord. 06-49 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

6. Standards for parking, landscaping, signs and other land uses where such standards are not specified herein are to be in accordance with LDC in effect at the time of site development plan approval.

## 2.13 OPEN SPACE REQUIREMENTS

The LDC requires that business park projects maintain open space at a minimum of 30% of the project area. The project will be designed in accordance with this standard and open space areas shall be shown on the site development plan and/or subdivision plat, whichever may be required. The 30% open space requirement shall be applicable to the BPPUD, and is not required to be met on individual development parcels.

## 2.14 SIGNAGE

A. GENERAL

1. All Collier County sign regulations in force at the time of sign permit application shall apply unless approved as deviations in Section 2.3 of this BPPUD.

2. Signs shall be permitted in private rights-of-way and within buffer, utility and drainage easements.

3. All signs shall be located so as not to cause sight line obstructions.

4. All internal project rights-of-way, drive aisles, or access easements may be utilized for decorative landscaped entrance features and signage subject to review and approval from the County Manager of his designee for consistency with the requirements set forth herein.

5. Ground signage shall be restricted to monument type signs similar in style and size to those installed at Creekside Commerce Park. No pole signs shall be permitted within the Naples Daily News Business Park BPPUD.

B. TRAFFIC SIGNS

1. Traffic signs such as street signs, stop signs and speed limit signs may be designed to reflect a common architectural theme. The placement and size of the signs shall be in accordance with DOT criteria.

Attachment: Attachment A - Ord. 06-49 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

## 2.15 SUBSTITUTIONS TO SUBDIVISION DESIGN STANDARDS

A. The developer reserves the right to request substitutions to subdivision improvement and utility design standards in accordance with the LDC.

B. Roadways within the Naples Daily News BPPUD shall be designed and constructed in accordance with the LDC with the following substitutions:

6.06.02; Streets and access improvements

1. Section 6.06.02; Sidewalks, bike lanes and bike paths.

Creekside Boulevard is an existing roadway and has been constructed with a 5 foot wide sidewalk on one side of the roadway. Creekside Way will serve as the primary project access to Immokalee Road and this roadway has been constructed with a sidewalk on one side of the roadway prior to approval of the Naples Daily News BPPUD. The developer shall provide internal pedestrian connections to the existing pedestrian network; however, the developer shall not be required to retrofit existing roadways to include additional sidewalks. The developer shall be permitted to make payment in-lieu of construction of the sidewalks.

Attachment: Attachment A - Ord. 06-49 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

# SECTION III

## BUSINESS PARK
## "BP"

### 3.1 PURPOSE

The purpose of this Section is to identify permitted uses and development standards for development areas within the Naples Daily News BPPUD.

### 3.2 GENERAL DESCRIPTION

The approximate acreage of the business park is indicated on the Master Plan. This acreage is based on conceptual designs and is approximate. Actual acreages of all development tracts will be provided at the time of site development plan or preliminary subdivision plat approvals in accordance with the LDC. A maximum of 400,000 square feet of Business Park light industrial uses as listed below in Section 3.3 shall be permitted within the BPPUD

### 3.3 PERMITTED USES AND STRUCTURES

**A. Permitted primary uses (Parcel A).**

Parcel A of the Naples Daily News BPPUD district acreage is allowed to be developed with the following uses (where numbers follow in parentheses, the uses are based on the 1987 SIC Manual):

1. Communications (groups 4812-4899, including only rooftop or ground mounted communication towers and subject to Section 5.05.09 of the LDC.)

2. Motion picture production (groups 7812-7819)

3. Printing, publishing and allied industries (groups 2711-2796)

4. Publishing, telecommunications, motion picture and video, broadcasting, internet publishing industries and other information services.

5. Advertising and direct mailers and photography, including mailing, distribution, collation, insertion of products in newspaper, non-newspaper products and containers and outside publications.

Attachment: Attachment A - Ord. 06-49 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

6. Information management and software.

7. Independent artists, writers and performers.

8. Printing and business support services.

9. Newsdealers and newsstands.

10. All forms of multi-media uses including but not limited to publishing, marketing, distributing, broadcasting, film production, software, internet, intranet, video, communication and information technologies and mediums now existing or subsequently created, adapted or discovered; it being the intent that such future technologies and mediums be deemed "Permitted Uses".

11. Any other use which is comparable in nature with the foregoing list of permitted principal uses, as determined by the Board of Zoning Appeals (BZA).

**B. Permitted primary uses (Parcel B).**

Parcel B of the Naples Daily News BPPUD district acreage is allowed to be developed with the following uses (where numbers follow in parentheses, the uses are based on the 1987 SIC Manual):

1. All uses permitted on Parcel A
2. Aircraft parts and auxiliary equipment (group3728)
3. Apparel and other finished products (groups 2311-2399)
4. Building contractors (groups 1521-1542), except for general contractors for mobile home repair on site, modular housing and premanufactured housing assembled on site, dry cleaning plant construction, paper pulp mill construction, and truck and automobile assembly plant construction.

5. Construction: Special trade contractors (groups 1711-1799 except for boiler erection and installation contractors; fuel oil burner installation and servicing contractors; gasoline hookup contractors; sewer hookups and connection for buildings contractors; epoxy application contractors; fireproofing buildings contractors; gasoline

Attachment: Attachment A - Ord. 06-49 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

pump installation contractors; lead burning contractors; and mobile home site setup and tie down contractors)

6. Electronics and other electrical equipment manufacturing (groups 3612, 3613, 3624, 3625, 3631, 3641-3676, 3678, 3679, 3694, 3695, 3699, except for airport lighting transformers, autotransformers, electric (power transformers) distribution transformers, electric; electric furnace transformers; lighting transformers, street and airport; transformers, reactor; atom smashers (particle accelerators; electron beam metal cutting, forming, and welding machines; electron linear accelerators; electrostatic particle accelerators))

7. Furniture and fixtures manufacturing (groups 2511 -2599)

8. Industrial and commercial machinery and computer equipment (groups 3524, 3546, 3553-3556, 3559, 3562, 3564-3566, 3581-3599 except for bronzing and dusting machines for printing trades; foundry type for printing; presses, printing - slugs printers'; ammunition and explosives loading machinery; brick making machines; cement making machinery; chemical kilns; control rod drive mechanisms for use on nuclear reactors; foundry machinery and equipment; frame straighteners, automotive (garage equipment); fur sewing machines; ginning machines, cotton; metal finishing equipment for plating, except rolling mill lines; metal pickling equipment, except rolling mill lines)

9. Leather and leather products (groups 3131-3199)

10. Measuring, analyzing, and controlling instruments; photographic, medical and optical goods; watches and clocks manufacturing (groups 3812-3843, 3845-3873)

11. Medical laboratories and research and rehabilitative centers (groups 8071-8092, 8099)

12. Miscellaneous manufacturing industries (groups 3911-3999 except for dressing of furs: bleaching, blending, curring, scraping, and tanning; feathers: curling, dyeing, and renovating - for the trade; fur stripping; furs dressed: bleached, curried, scraped, tanned, and dyed; pelts: scraping, curring, tanning, bleaching and dyeing; plumes, feather; tear gas devices and equipment; veils made of hair)

Attachment: Attachment A - Ord. 06-49 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

13. Paper and allied products (groups 2652-2657, 2673-2679)

14. Plastic materials and synthetics (groups 2833, 2834)

15. Printing, publishing and allied Industries (groups 2711-2791)

16. Rubber and miscellaneous plastic products (groups 3021, 3085, 3086, 3088, 3089)

17. Transportation equipment (group 3732, except for boats, fiberglass: building and repairing; boats: motorboats, sailboats, rowboats, and canoes - building and repairing; houseboats, building and repairing; motorboats, inboard and outboard: building and repairing)

18. Wholesale trade – durable goods (groups 5021-5031, 5043-5049, 5063-5074, 5078, 5091, 5092, 5094-5099 except for fencing, wood-wholesale; lumber: rough, dressed, and finished-wholesale; batteries, except automotive-wholesale; storage batteries, industrial-wholesale; unit substations-wholesale; boilers, power: industrial-wholesale; boilers, steam and hot water heating-wholesale; burners, fuel oil and distillate oil-wholesale; oil burners-wholesale)

19. Wholesale trade-nondurable goods (groups 5111-5143, 5145, 5147-5149, 5192, 5199 except for cats-wholesale; charcoal-wholesale; dogs-wholesale; fish, tropical-wholesale; furs, dressed-wholesale; greases, animal and vegetable-wholesale; ice, manufactured or natural-wholesale, leather and cut stock-wholesale; linseed oil-wholesale; oils, except cooking: animal and vegetable-wholesale; oilseed cake and meal-wholesale; rubber, crude-wholesale; sawdust-wholesale; vegetable cake and meal-wholesale; wigs-wholesale; worms-wholesale)

C. **Uses accessory to permitted uses:**

1. Uses and structures that are accessory and incidental to uses permitted as of right in the BPPUD, including but not limited to storage, warehousing, distribution of paper, ink, printing chemicals, aluminum and other plates, and other materials and products used or useful in connection with permitted uses.

2. Caretaker's residence, subject to Section 5.03.05 of the LDC.

Attachment: Attachment A - Ord. 06-49 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

3. Eating places, including coffee shops. No alcoholic beverage sales shall be permitted.

4. For business park uses, retail sales and/or display areas as accessory to the principal use shall not to exceed an area greater than 20 percent of the gross floor area of the permitted principal use and is further subject to retail standards for landscaping, parking and open space.

5. Other comparable uses not specified as deemed appropriate by the Board of Zoning Appeals.

## 3.4 Building Development Standards

A. Minimum buildable area: 20,000 square feet.

B. Minimum buildable lot width: 100 feet.

C. Minimum yard requirements for principal and accessory structures:

1. Front yard:
   a. Immokalee Road: Fifty feet (50')
   b. Internal roads: Twenty-five feet (25')

2. Side yard: Ten feet (10')

3. Rear yard: Ten feet (10')

4. From PUD boundary: Fifty feet (50')

5. Preserves:
   a. Principal structure: Twenty-five feet (25')
   b. Accessory structure: Ten feet (10')

6. For that portion of a building exceeding fifty (50') feet in height that portion shall be required to maintain a minimum setback from the property line at a ratio of two horizontal feet for each one foot of vertical height.

7. Lake/water management (from control elevation):
   a. Principal structure: Twenty feet (20')
   b. Accessory structure: Ten feet (10')

Attachment: Attachment A - Ord. 06-49 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

8. Distance between structures: If there is a separation between any two principal structures on the same parcel, said separation shall be a minimum of 15 feet or a distance equal to that required by applicable fire codes.

9. Maximum height of structures: Seventy-five feet (75'), zoned height as measured from required minimum flood elevation in Parcel A and twenty –five feet (25') zoned height as measured from required minimum flood elevation for Parcel B. The Naples Daily News print press portion of the building shall be limited to 75 feet in height above minimum flood elevation. That portion of the building shall be designed with a flat roof. No antennae, satellite dishes nor other encroachments shall be allowed above the 75 foot maximum building height. For purposes of this BPPUD, the measurement of actual height shall be measured as that for zoned height.

10. Minimum floor area: One thousand square feet.

11. The development of Parcel B shall be subject to the following limitations:

    a. No outside lighting on the southern side of any building constructed on Parcel B, and no lighting of the parking lot except to the extent required by the County. To the extent parking lot lighting is required, cutoff type fixtures or shields will be used to direct the light downward onto the parking lot.

    b. Any loading facility will be located only on the northern facing portion of any building, and building height is limited to twenty-five (25) feet above minimum required flood elevation.

    c. No outside storage or outside fabrication is permitted on Parcel B.

12. Development of Parcel A shall be subject to the following limitations:

    a. The only outside architectural lighting allowed will be on the north side of the building.

Attachment: Attachment A - Ord. 06-49 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

b. No signage, other than directional, shall be located on the south side of the building.

c. No lighting or signage shall be placed on the 75 foot portion of the Naples Daily News building.

d. All building and parking lot lighting shall consist of "cutoff" type fixtures or shields to direct the lighting downward onto the parking lot. No lighting fixtures illuminating the parking area shall be located on poles more than 20 feet in height.

13. Any permanent generator shall be required to be housed in an enclosed area in order to reduce noise emissions.

Attachment: Attachment A - Ord. 06-49 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

# SECTION IV

# PRESERVE
# "P"

## 4.1 PURPOSE

The purpose of this Section is to identify permitted uses and development standards for the area within the Naples Daily News BPPUD designated on the Master Plan as "P", Preserve.

## 4.2 GENERAL DESCRIPTION

Areas designated as "P", Preserve on the Master Plan are designed to provide conservation and may accommodate passive recreation and water management uses and functions. The acreage of the Preserve area is indicated on the Master Plan.

## 4.3 PERMITTED USES AND STRUCTURES

No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, which is inconsistent with the conservation easements recorded in O.R. Book 2089, Page 0831, O.R. Book 2107, Page 1701, O.R. Book 2260, Page 1869, of the Public Records of Collier County, Florida, the drainage easement recorded at O.R. Book 2414, Page 3480 and other than the following:

A. Permitted Principal Uses and Structures

1. Boardwalks, benches, nature trails and shelters, as long as any clearing required to facilitate these uses does not impact the minimum required native vegetation.

2. Water management structures in wetland preserves.

3. Uses and structures permitted by the conservation easements and drainage easement referenced above.

4. Any other conservation use in accordance with Section 3.05.07 of the LDC which is comparable in nature with the foregoing uses and which the Environmental Services Department Staff determines to be compatible in the Preserve Area. Other uses of a comparable nature

Attachment: Attachment A - Ord. 06-49 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

and not administratively permitted within preserves shall require the approval by the Board of Zoning Appeals.

## 4.4 DEVELOPMENT STANDARDS

A. Maximum height of structures: Twenty-five (25) feet.

B. Building setbacks:
   1. Principal structures:Twenty-five (25) feet
   2. Accessory structures:Ten (10) feet

## 4.5 LANDSCAPE BUFFERS

A. Where Chapter 4 of the LDC requires landscape buffers, and preserve areas are shown, landscape buffers shall consist of preserve vegetation, when demonstrated that it meets or exceeds requirements of Chapter 4 of the LDC. Landscape buffers shall remain exotic free. All code requirements must be met regarding preserves acting as landscape buffers.

Attachment: Attachment A - Ord. 06-49 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

# SECTION V

# OPEN SPACE
# "OS"

## 5.1 PURPOSE

The purpose of this Section is to identify permitted uses and development standards for the areas within the Naples Daily News BPPUD designated on the conceptual master plan as "OS", open space.

## 5.2 GENERAL DESCRIPTION

Areas identified as "OS" open space on the conceptual master plan are designed to provide usable open space, recreation, water management, and other open space and recreational uses.

## 5.3 PERMITTED USES AND STRUCTURES.

A. Permitted Principal Uses and Structures

1. Lakes, water management facilities, preserves and water control structures.

2. Boardwalks, benches, nature trails, bridges, cart paths, golf course, and related facilities. Golf course related improvements shall not be expanded; however, they may be reconstructed and maintained in accordance with the conservation easements and drainage easement referenced in Section 4.3 of this BPPUD.

3. Any other recreation or open space use consistent with recreational or open space uses permitted by right in the "CON" Conservation District of the LDC.

## 5.4 DEVELOPMENT STANDARDS

A. Maximum Height: Twenty-five (25) feet.

B. Setbacks: Zero (0) feet.

Attachment: Attachment A - Ord. 06-49 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

# SECTION VI

# GENERAL DEVELOPMENT COMMITMENTS

## 6.1 PURPOSE

The purpose of this Section is to set forth the development commitments for the Naples Daily News BPPUD project.

## 6.2 PUD MASTER DEVELOPMENT PLAN

A. All facilities shall be constructed in accordance with the final site development plans, final subdivision plans and all applicable State and Local laws, codes and regulations except where specifically noted.

B. The BPPUD Master Plan (Exhibit A) is an illustration of the conceptual development plan. Tracts and boundaries shown on the plan are conceptual and shall not be considered final. Actual tract boundaries shall be determined at the time of preliminary subdivision plat or site development plan approval.

C. All necessary easements, dedications, or other instruments shall be granted to insure the continued operation and maintenance of all utilities.

D. The developer will implement the concept of "parklets," i.e., small-scale opportunities for pedestrian seating and/or visual nodes of interest incorporated adjacent to buffers, buildings, other open space areas on the site, and pedestrian connections. A parklet shall be defined as a garden space incorporating a minimum of three of the following elements: decorative pavers, two canopy/accent trees, site furniture (such as 5' bench, trash receptacle/ash urn, etc.), pedestrian pathway and/or water feature/sculpture. The location is intended to provide a visual node of interest within the project site and/or create a cue for pedestrian ingress/egress. The developer shall provide a minimum of 3 parklets, within the business park at the general locations shown on the conceptual park / parklet plan (Exhibit E). Parklets shall vary in size; however, the minimum size for any single parklet shall be two hundred (200) square feet, and the minimum aggregate size of the parklets shall be fifteen hundred (1,500) square feet.

In addition, one "linear park" shall be developed along Immokalee Road, expanding the buffer into the project site and it may incorporate such key

Attachment: Attachment A - Ord. 06-49 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

features/options as: sculpture, water features, decorative pots, seat walls and/or enhanced plantings (palms/trees/shrubs/groundcovers). This park may become "architectural" in layout, offering a transition between the structure's architecture and the buffer along Immokalee Road frontage and is more reminiscent of an urban setting.

## 6.3 ENGINEERING

A. Except as noted herein, all project development will occur consistent with the LDC.

## 6.4 UTILITIES

A. Water distribution, sewage collection and transmission systems shall be constructed throughout the project by the developer. Central water and wastewater service will be provided by the appropriate governmental and/or private utility provider. Appropriate utility easements will be dedicated to the utility provider in accordance with the procedure adopted by the utility provider.

B. Upon completion, the utility facilities shall be tested to insure that they meet Collier County's utility construction requirements in effect at the time construction plans are approved.

C. Utilities shall be designed in accordance with the Collier County Utilities Ordinance No. 04-51.

## 6.5 WATER MANAGEMENT

A. The project shall be designed and permitted in accordance with standards of the South Florida Water Management District.

B. The lake originally approved as Lake L-1, Creekside Unit I Plat, shall continue to be operated and maintained in accordance with the approved plat and approved South Florida Water Management District Permit.

C. Prior to discharge into the existing southerly lake within the project, stormwater shall be pretreated to applicable government standards and a water management maintenance easement shall be granted for the southerly lake to the Pelican Marsh Community Development District (CDD). The developer shall not seek to permit any interconnection, overflow or discharge from the project's southerly lake into the CDD's water management system, consistent with the Memorandum of Johnson

Attachment: Attachment A - Ord. 06-49 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

Engineering, Inc. dated July 19, 2006, a copy of which is attached hereto as Exhibit G.

D. Prior to the County issuing a final site development plan for any portion of the project, developer shall enter into an agreement with the Pelican Marsh CDD that shall include provisions for the CDD to review water management plans and for the owner of the property within this BPPUD to pay the maintenance costs for the project's southern water management lake to the CDD.

E. The projecs conceptual water management system has been described in the water management report provided in the rezone application materials. A copy of the conceptual water management plan is included in the BPPUD Document as Exhibit F.

## 6.6 ENVIRONMENTAL

A. An exotic vegetation removal, monitoring and maintenance plan for the site shall be submitted to Environmental Services Staff for review and approval prior to final site plan/construction plan approval. A schedule for exotic vegetation removal shall be submitted with the above-mentioned plan.

B. A minimum of 15 percent of the site's native vegetation shall be retained or replanted in accordance with the LDC. For this site a minimum of 0.37± acres of native vegetation shall be retained on-site. The BPPUD shall include approximately 2.6± acres of preserve area as shown on the Conceptual Master Plan.

C. Areas subject to previously recorded conservation easements shall be maintained in accordance with the applicable conservation easement.

D. This BPPUD shall be consistent with environmental sections of the GMP Conservation and Coastal Management Element and the LDC at the time of final development order approval.

E. This BPPUD shall comply with the guidelines of USFWS and FFWCC for impacts to protected species. A Habitat Management Plan for those species shall be submitted to environmental review staff for review and approval prior to site/plan approval.

F. All conservation areas shall be designated as tracts/easements with protective covenants. Easements shall be dedicated on the plat to the

Attachment: Attachment A - Ord. 06-49 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

homeowner's association for ownership and maintenance and to Collier County with no responsibility for maintenance.

G. All Category I invasive exotic plants, as defined by the Florida Exotic Pest Plant Council, shall be removed from within preserve areas and subsequent annual removal of these plants (in perpetuity) shall be the responsibility of the property owner.

H. A Preserve Area Management Plan shall be provided to Environmental Staff for approval prior to site/construction plan approval identifying methods to address treatment of invasive exotic species, fire management, and maintenance.

I. All approved agency (SFWMD, ACOE, FFWCC) permits shall be submitted prior to final site plan/ construction plan approval.

## 6.7 TRANSPORTATION

The development of this PUD Master Plan shall be subject to and governed by the following conditions:

A. All traffic control devices, signs, pavement markings and design criteria shall be in accordance with Florida Department of Transportation (FDOT) Manual of Uniform Minimum Standards (MUMS), current edition, FDOT Design Standards, current edition, and the Manual on Uniform Traffic Control Devices (MUTCD), current edition. All other improvements shall be consistent with and as required by the LDC.

B. Arterial level street lighting shall be provided at all access points. Access lighting must be in place prior to the issuance of the first Certificate of Occupancy (CO).

C. External access points, including both driveways and proposed streets, shown on the BPPUD Master Plan are considered to be conceptual. Nothing depicted on any such Master Plan shall vest any right of access at any specific point along any property frontage. All such access issues shall be approved or denied during the review of required subsequent site plan or final plat submissions. All such access shall be consistent with the Collier County Access Management Policy (Res. No. 01-247), as it may be amended from time to time, and with the Collier County Long-range Transportation Plan. The number of access points constructed may be less than the number depicted on the Master Plan; however, no additional

Attachment: Attachment A - Ord. 06-49 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

external access points shall be considered unless a PUD amendment is approved.

D. Site-related improvements (as opposed to system-related improvements) necessary for safe ingress and egress to this project, as determined by Collier County, shall not be eligible for impact fee credits. All required improvements shall be in place and available to the public prior to the issuance of the first CO.

E. Road impact fees shall be paid in accordance with Collier County Ordinance No. 01-13, as amended, and the LDC, as it may be amended.

F. All work within Collier County rights-of-way or public easements shall require a right-of-way permit.

G. All proposed median opening locations shall be in accordance with the Collier County Access Management Policy (Resolution No. 01-247), as it may be amended, and the LDC, as it may be amended. Collier County reserves the right to modify or close any median opening existing at the time of approval of this PUD which is found to be adverse to the health, safety and welfare of the public. Any such modifications shall be based on, but are not limited to, safety, operational circulation, and roadway capacity.

H. Nothing in any development order shall vest a right of access in excess of a right in/right out condition at any access point. Neither will the existence of a point of ingress, a point of egress or a median opening, nor the lack thereof, be the basis for any future cause of action for damages against the County by the developer, its successor in title, or assignee.

I. All private internal roads, driveways, alleys, pathways, sidewalks and interconnections to adjacent developments shall be operated and maintained by an entity created by the developer and Collier Country shall have no responsibility for maintenance of any such facilities.

J. The developer shall make a proportionate fair share payment toward future signalization and intersection improvements of Creekside Boulevard at the U.S. 41 and Goodlette-Frank Road intersection if and when warranted.

K. The BPPUD Master Plan depicts a potential pedestrian interconnection with the adjacent property to the west, the developer, or assigns, shall assure that these interconnections shall accommodate the perpetual use

Attachment: Attachment A - Ord. 06-49 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

of such access by incorporating the appropriate language into the applicable development covenants, and SDP or plat.

L. Site-related improvements necessary for safe ingress and egress to this project, as determined by Collier County, shall not be eligible for impact fee credits. All required improvements shall be in place and available to the public prior to the issuance of the first CO or when warranted by the County.

M. The developer shall provide separate proportionate share payments for development of Parcels A and B not to exceed 15% of the road impact fees for development of Parcels A and B to address congestion management strategies in the Northwest Transportation Concurrency Management Area (TCMA), which will include the funding for intersection improvements and enhancements to transit and pedestrian facilities. The proportionate share payments shall include a credit in the amount of $75,000 for the installation of the SCOOT system at the U.S. 41 and Immokalee Road intersection and the next two easterly signalized intersections on Immokalee Road, a credit for the extension of Creekside Way to Creekside Boulevard shall be provided. The credit will be applied only to the 15% proportionate share payment above the current road impact fee.

N. Prior to the issuance of the first CO for the Parcel A, Creekside Way shall be extended south to Creekside Boulevard. If the land and construction costs of the Creekside Way extension exceed the proportionate share payment due for development of Parcel A, the excess shall be applied as a credit for the proportionate share payment due for development of Parcel B. Staff shall permit the right-of-way cross-section for Creekside Way to vary from typical LDC standards in order to accommodate the roadway extension due to the presence of existing utilities located within the Creekside Commerce Park PUD.

O. The appropriate department of the Naples Daily News shall instruct general delivery vehicles to utilize Creekside Boulevard between the hours of 7:00 a.m. and 10:00 p.m. daily.

P. Ingress and egress by delivery trucks to the Naples Daily News building shall be restricted to use of the driveway connection to the Granada Shoppes between the hours of 10:00 p.m. and 7:00 a.m. daily. This access shall be gated and shall be available for use by Naples Daily News delivery vehicles during the hours of 10:00 p.m. and 7:00 a.m. Northbound delivery vehicles shall turn east on Immokalee Road

Attachment: Attachment A - Ord. 06-49 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

## 6.8 AFFORDABLE HOUSING

Collier County and the developer of the Naples Daily News Business Park BPPUD have cooperated to address affordable housing impacts associated with the project. The developer, or its successors and assigns, shall make a financial contribution to Collier County in the amount of $.50 per square foot of press plant (non-office) building area constructed within the BPPUD. This contribution shall be paid within seven days of the issuance of a CO for the improvement receiving the CO. The payment of this contribution shall be credited to the project's obligations to pay affordable or workforce housing fees that may be adopted in the future by Collier County.

Attachment: Attachment A - Ord. 06-49 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

## SITE AREA

| | |
|---|---|
| BUSINESS PARK | = 23.86± ACRES |
| OPEN SPACE | = 8.75± ACRES |
| PRESERVE | = 2.63± ACRES |
| TOTAL SITE | = 35.24± ACRES |

MAXIMUM GROSS FLOOR AREA
400,000 SQUARE FEET
PARCEL A 365,000 SQUARE FEET
PARCEL B 35,000 SQUARE FEET

NOTES:

1. THIS PLAN IS CONCEPTUAL IN NATURE AND IS SUBJECT TO MINOR MODIFICATION DUE TO AGENCY PERMITTING REQUIREMENTS.
2. ALL ACREAGES ARE APPROXIMATE AND SUBJECT TO MODIFICATION AT THE TIME OF SDP OR PLAT APPROVAL.

LEGEND

OPEN SPACE

PRESERVE

NAPLES DAILY NEWS BPPUD
EXHIBIT A
CONCEPTUAL MASTER PLAN

W. GRADY MINOR AND ASSOCIATES, P.A.
CIVIL ENGINEERS • LAND SURVEYORS • PLANNERS

Attachment: Attachment A - Ord. 06-49 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)






LINE TABLE

| LINE | BEARING | LENGTH |
|---|---|---|
| L1 | S 89°59'59" W | 5.00' |
| L2 | S 89°59'59" E | 35.84' |
| L3 | S 89°59'59" W | 5.00' |
| L4 | N 89°59'59" E | 35.84' |
| L24 | S 89°59'59" W | 60.84' |
| L25 | S 89°59'59" E | 91.68' |
| L26 | S 89°59'59" E | 140.17' |

CURVE TABLE

| CURVE | RADIUS | LENGTH | DELTA | CHORD | BEARING |
|---|---|---|---|---|---|
| C9 | 685.00' | 166.74' | 13°57'01" | 166.30' | S 82°58'29" E |
| C10 | 74.00' | 73.84' | 85°28'09" | 67.17' | N 43°00'56" E |
| C11 | 15.00' | 23.56' | 90°00'00" | 21.21' | N 44°59'59" E |
| C12 | 1085.92' | 198.32' | 10°27'59" | 198.04' | N 84°46'00" E |
| C13 | 1085.92' | 198.32' | 10°27'59" | 197.98' | N 84°46'00" E |

## PROPERTY DESCRIPTION

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 48 SOUTH, RANGE 25 EAST, COLLIER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 27, TOWNSHIP 48 SOUTH, RANGE 25 EAST, COLLIER COUNTY, FLORIDA; THENCE RUN SOUTH 89°59'59" EAST, ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 27, ALSO BEING THE EAST RIGHT-OF-WAY OF U.S. 41 FOR A DISTANCE OF 139.68 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY OF IMMOKALEE ROAD; THENCE RUN NORTH 44°30'31" EAST, ALONG SAID SOUTH RIGHT-OF-WAY FOR A DISTANCE OF 34.88 FEET; THENCE RUN SOUTH 89°59'59" EAST, ALONG SAID SOUTH RIGHT-OF-WAY FOR A DISTANCE OF 530.48 FEET; THENCE RUN SOUTH 88°53'16" EAST, ALONG SAID SOUTH RIGHT-OF-WAY FOR A DISTANCE OF 100.01 FEET; THENCE RUN SOUTH 89°59'59" EAST, ALONG SAID SOUTH RIGHT-OF-WAY FOR A DISTANCE OF 100.01 FEET; THENCE RUN SOUTH 89°59'59" EAST, ALONG SAID SOUTH RIGHT-OF-WAY FOR A DISTANCE OF 53.59 FEET TO THE WEST RIGHT-OF-WAY OF THE FLORIDA GAS TRANSMISSION COMPANY LAND AS RECORDED IN O.R. BOOK 2511, PAGE 1706 OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA; THENCE CONTINUE SOUTH 89°59'59" EAST FOR A DISTANCE OF 1,008.20 FEET; THENCE RUN

Attachment: Attachment A - Ord. 06-49 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)






| LINE TABLE | | |
|---|---|---|
| LINE | BEARING | LENGTH |
| L1 | S 89°29'16" E | 120.00' |
| L2 | S 89°29'16" E | 60.00' |
| L3 | S 89°29'16" E | 105.72' |
| L4 | S 89°29'16" E | 30.00' |
| L5 | S 89°29'16" E | 30.00' |
| L6 | S 89°29'16" E | 30.00' |
| L7 | S 89°29'16" E | 30.00' |
| L8 | S 89°29'16" E | 30.00' |
| L9 | S 89°29'16" E | 120.00' |
| L10 | S 89°29'16" E | 30.00' |
| L11 | S 89°29'16" E | 30.00' |
| L12 | S 89°29'16" E | 30.00' |
| L13 | S 89°29'16" E | 30.00' |
| L14 | S 89°29'16" E | 30.00' |
| L15 | S 89°29'16" E | 30.00' |
| L16 | S 89°29'16" E | 30.00' |
| L17 | S 89°29'16" E | 30.00' |
| L18 | S 89°29'16" E | 30.00' |
| L19 | S 89°29'16" E | 30.00' |
| L20 | S 89°29'16" E | 30.00' |
| L21 | S 89°29'16" E | 30.00' |
| L22 | S 89°29'16" E | 30.00' |
| L23 | S 89°29'16" E | 30.00' |

| CURVE TABLE | | | | | |
|---|---|---|---|---|---|
| CURVE | RADIUS | LENGTH | DELTA | CHORD | BEARING |
| C1 | 30.00' | 47.12' | 90°00'00" | 42.43' | S 44°29'16" E |
| C2 | 60.00' | 188.50' | 180°00'00" | 120.00' | S 44°29'16" E |
| C3 | 120.00' | 188.50' | 90°00'00" | 169.71' | S 89°29'16" E |
| C4 | 30.00' | 47.12' | 90°00'00" | 42.43' | S 12°59'16" W |
| C5 | 30.00' | 47.12' | 90°00'00" | 42.43' | S 45°30'44" E |
| C6 | 30.00' | 47.12' | 90°00'00" | 42.43' | S 89°29'16" E |

LEGEND

| | | |
|---|---|---|
| P.C.P. | ⊙ | PERMANENT CONTROL POINT |
| T.I.B. | ○ | TRIANG IRON ROD |
| S.I.R. | ● | SET 1/2" IRON ROD With CAP, L.B. #3151 |
| F.C.M. | □ | FOUND CONCRETE MONUMENT |
| P.B. | | PLAT BOOK |
| PG. | | PAGE |
| O.R. | | OFFICIAL RECORDS BOOK |
| L.B.S.E. | | LANDSCAPE BUFFER AND DRAINAGE EASEMENT |
| D.E. | | DRAINAGE EASEMENT |
| U.E. | | UTILITY EASEMENT |
| C.U.S.E. | | COUNTY UTILITY AND SIDEWALK EASEMENT |
| C.U.E. | | COUNTY UTILITY EASEMENT |
| L.B. | | LICENSED BUSINESS |
| P.S.M. | | PROFESSIONAL SURVEYOR & MAPPER |

NOTES
1. NOT VALID UNLESS ACCOMPANIED BY SHEET 1 OF 2

SHEET 2 OF 2

| | |
|---|---|
| FIELD BOOKS/PAGES: | |
| CREW CHIEF: BL/JA | |
| DRAWN BY: JD | |
| JOB CODE: NBNBS | |
| SCALE: 1" = 100' | |

Q. GRADY MINOR AND ASSOCIATES, P.A.
CIVIL ENGINEERS • LAND SURVEYORS • PLANNERS
3800 VIA DEL REY
BONITA SPRINGS, FLORIDA 34134
PHONE: (239) 947-1144 FAX: (239) 947-0376
CERTIFICATE OF AUTHORIZATION NUMBER L.B. 3151

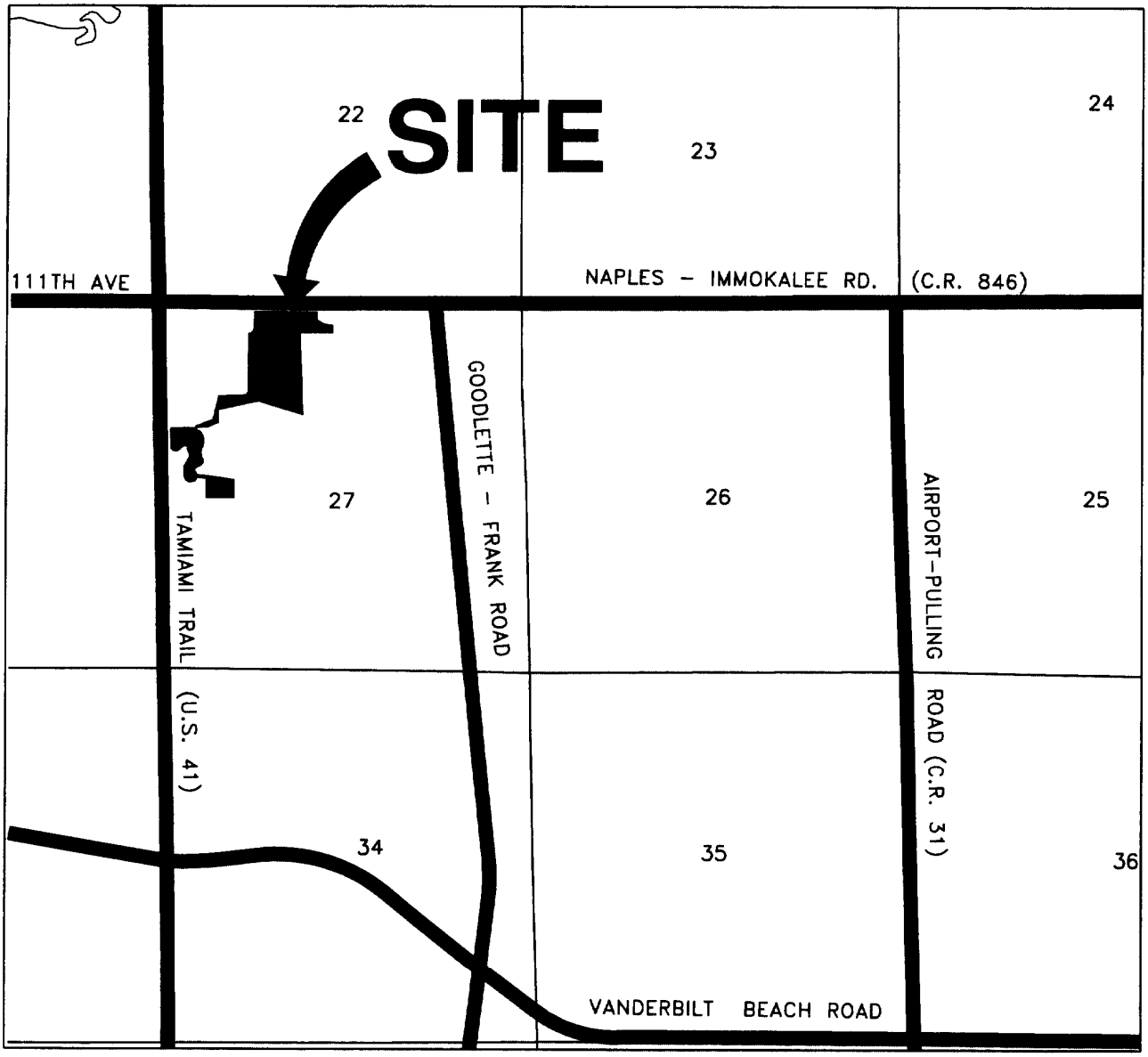
EXHIBIT B – BOUNDARY SURVEY
NAPLES DAILY NEWS
A PORTION OF THE NW QUARTER OF
SECTION 27, TOWNSHIP 48 SOUTH, RANGE 25 EAST,
COLLIER COUNTY, FLORIDA

DATE: FEBRUARY, 2006 | DRAWING: C-3201-2

# NAPLES DAILY NEWS BPPUD

EXHIBIT C
LOCATION MAP

LOCATED IN SECTION 27, TOWNSHIP 48, RANGE 25,
COLLIER COUNTY, FLORIDA




PREPARED BY
Q. GRADY MINOR AND ASSOCIATES, P.A.
CIVIL ENGINEERS • LAND SURVEYORS • PLANNERS

Attachment: Attachment A - Ord. 06-49 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

NAPLES DAILY NEWS BPPUD

EXHIBIT D
DEVIATIONS

A. A deviation from LDC, Section 4.06.02.C.5 requirement to construct a twenty-five foot (25') wide landscape buffer along Immokalee Road to provide a twenty-five foot (25') wide landscape buffer, without a six foot (6') high wall, berm or wall and berm combination.

The deviation from the requirement to provide a 6' high wall or berm within the 25' wide buffer is justified given the limited uses proposed in the Business Park and the project's location adjacent to an industrial park and retail center. Providing a landscaped buffer will be more consistent with the landscaping treatment along this corridor of Immokalee Road.

The project will be designed in compliance with the County's Architectural Standards and compliance with these standards does not warrant the creation of an opaque buffer treatment

B. A deviation from LDC Section 4.02.13.G and Section 4.06.02.C.5, which requires a business park to provide a 25' wide landscape buffer around the entire boundary of a business park, to permit the following buffers:

1. East – 25' wide buffer adjacent Creekside Commerce Park, without a wall or berm.

2. West – 25' wide buffer adjacent to Granada Shoppes PUD, without a wall or berm.

3. South – the 25' wide existing buffer and berm adjacent to the Pelican Marsh PUD shall be maintained for that portion of the Naples Daily News BPPUD located west and south of the existing berm and designated as open space, preserve, or lake area and supplemental plantings shall be consistent with Section 2.9.D.

The deviations from the required 25' wide buffer with a 6' high berm or wall are justified given the locations of the proposed Naples Daily News BPPUD, adjacent to the developed industrial uses of Creekside Commerce Park PUD and the existing retail shopping center, Granada Shoppes PUD. These projects are non-residential uses and have existing buffers in place. An existing berm and landscape buffer exists along a majority of the project's southern boundary, which meets the intent of the buffers required for a business park. That portion of the Naples Daily News BPPUD which is designated as preserve and open space abuts adjacent Pelican Marsh PUD



Attachment: Attachment A - Ord. 06-49 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

tracts having similar open space uses, which do not warrant the strict 25' wide buffer with opacity to 6' in height for areas limited to open space and preserve uses. The proposed alternative buffers will provide appropriate buffering between the proposed light industrial uses and the existing adjacent industrial and retail uses.

C. A deviation from LDC Section 4.06.02.A.3, Buffer Requirements.

A request to permit required landscape buffers and signs within recorded water and wastewater easements consistent with grant of easement restrictions as recorded in O.R. Book 2712, Pages 0624 – 0626, and O.R. Book 2712, Pages 0610 – 0612.

This deviation is warranted due to the previously granted easements to Collier County which permit landscaping within recorded easements, subject to limitations found within the recorded easement agreements. Copies of the recorded easements have been attached for reference.

Attachment: Attachment A - Ord. 06-49 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

# Naples Daily News - Conceptual Park / Parklet Plan

Not to Scale

NORTH

6.01.06

QGM DESIGN

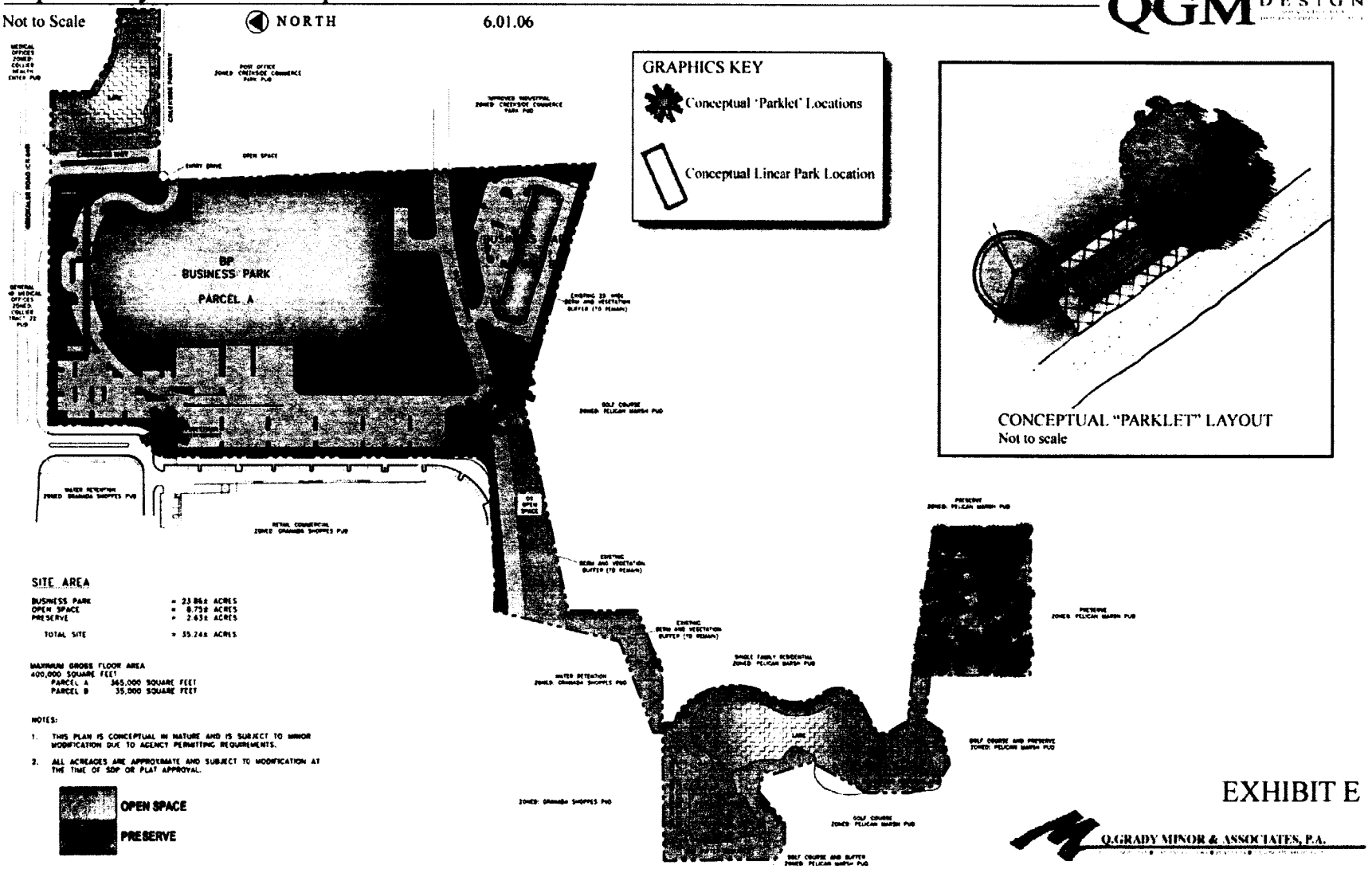


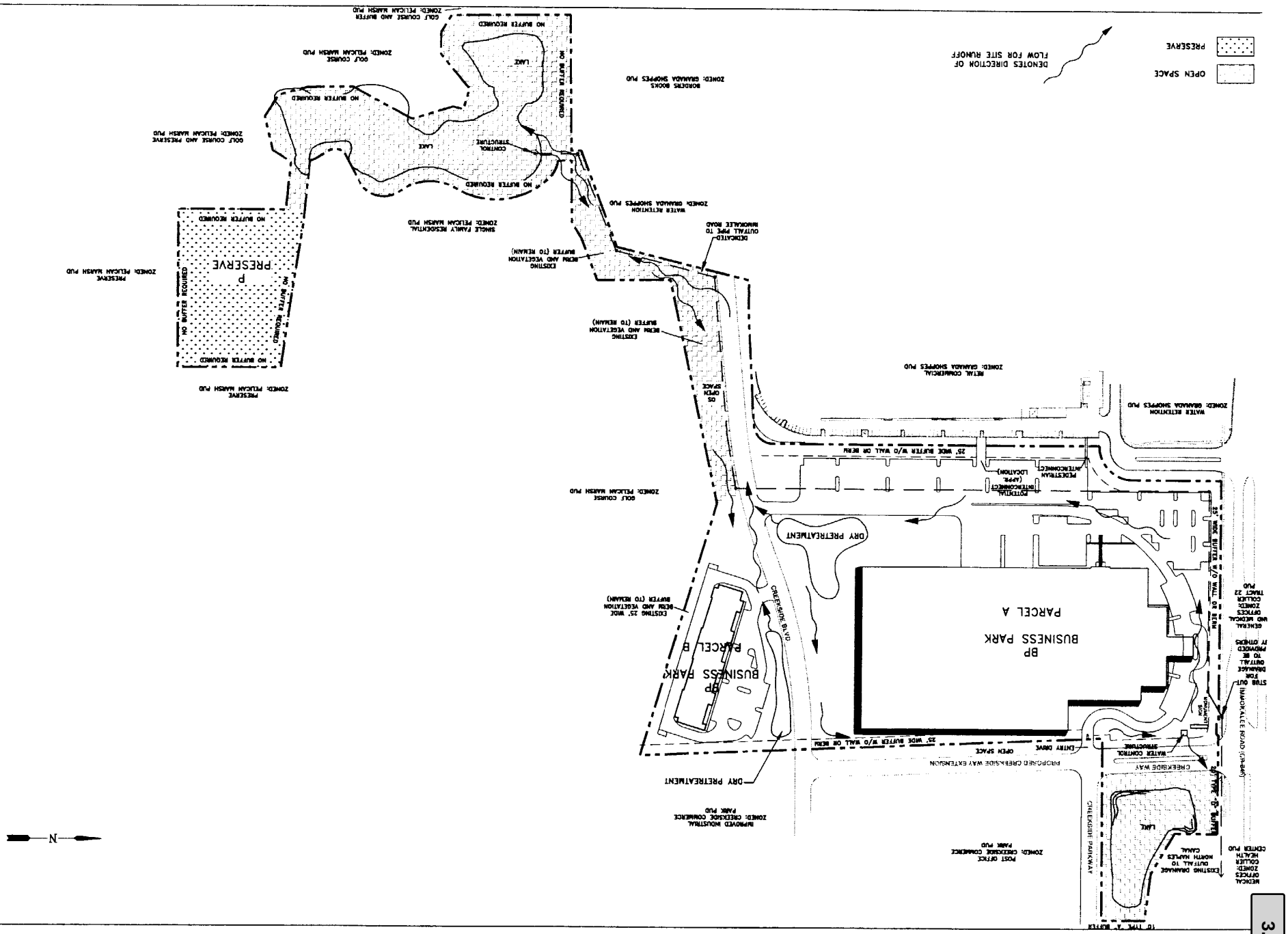

EXHIBIT E

Q.GRADY MINOR & ASSOCIATES, P.A.





Attachment: Attachment A - Ord. 06-49 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)


NAPLES DAILY NEWS BPPUD
CONCEPTUAL WATER MANAGEMENT PLAN
EXHIBIT F
Q. GRADY MINOR AND ASSOCIATES, P.A.
PARCEL A
BUSINESS PARK
BP
PARCEL B
BUSINESS PARK
BP
DRY PRETREATMENT
DRY PRETREATMENT
CREEKSIDE BLVD.
PROPOSED CREEKSIDE WAY EXTENSION
CREEKSIDE WAY
ENTRY DRIVE
OPEN SPACE
WATER CONTROL STRUCTURE
LAKE
CREEKSIDE PARKWAY
INMOKALEE ROAD (C.R.846)
PRESERVE
NO BUFFER REQUIRED
ZONED: PELICAN MARSH PUD
ZONED: GRANADA SHOPPES PUD
ZONED: CREEKSIDE COMMERCE PARK PUD
ZONED: GOLF COURSE AND BUFFER
ZONED: GOLF COURSE AND PRESERVE
ZONED: SINGLE FAMILY RESIDENTIAL
ZONED: BORDERS BOOKS
RETAIL COMMERCIAL
WATER RETENTION
DENOTES DIRECTION OF FLOW FOR SITE RUNOFF
OPEN SPACE
PRESERVE
EXISTING BERM AND VEGETATION BUFFER (TO REMAIN)
RELOCATED OUTFALL PIPE TO IMMOKALEE ROAD
25' WIDE BUFFER W/O WALL OR BERM
POTENTIAL INTERCONNECT LOCATION
EXISTING OUTFALL TO BE REMOVED
EXISTING DRAINAGE COLLECTOR ZONED: MEDICAL OFFICES
EXISTING DRAINAGE OUTFALL TO NORTH NAPLES CANAL
MEDICAL OFFICES ZONED: COLLIER TRACT 22 PUD
GENERAL AND MEDICAL OFFICES ZONED: COLLIER TRACT 22 PUD
N

JOHNSON
ENGINEERING

TO: **Wayne Arnold**

DATE: **July 19, 2006**

FROM: **Chris Hagan**

RE: **Naples Daily News Business Park – Water Management**

This memorandum is submitted as a follow-up to correct and clarify the proposed water management system for the referenced project. In particular, there is some confusion as to how the interconnection between the Pelican Marsh CDD water management lake (Lake 43) and the rest of the Naples Daily News Business Park drainage works. Lake 43 is totally isolated from the rest of the water management system for the Pelican Marsh CDD. It is the intention of the Naples Daily News Business Park water management system to utilize this isolated lake for storage and attenuation of storm water during rainfall events. This isolated lake has a perimeter berm that holds all the water on the site. This project is designed to have Lake 43 discharge back through the Naples Daily News Business Park out to the north Naples canal.

The Naples Daily News Business Park system is not designed to discharge into the adjoining wetland or anywhere within the Pelican Marsh water management system. Only during extreme high water events (exceeding a 25- year storm) could this isolated system be overtopped and the waters mixed. In that event, it is equally likely that water could flow from or into the Naples Daily News water management system. These are independent water management systems and confirmation of the separation will be documented as we proceed with final plan design, permitting and construction of the project.

I apologize for any confusion regarding this, but these are two independent water management systems currently, and will remain as such, throughout the designing, permitting, construction and operation of the Naples Daily News Business Park.

Should you have any further comments or questions regarding this, please contact me.

Copy: Dave Borden

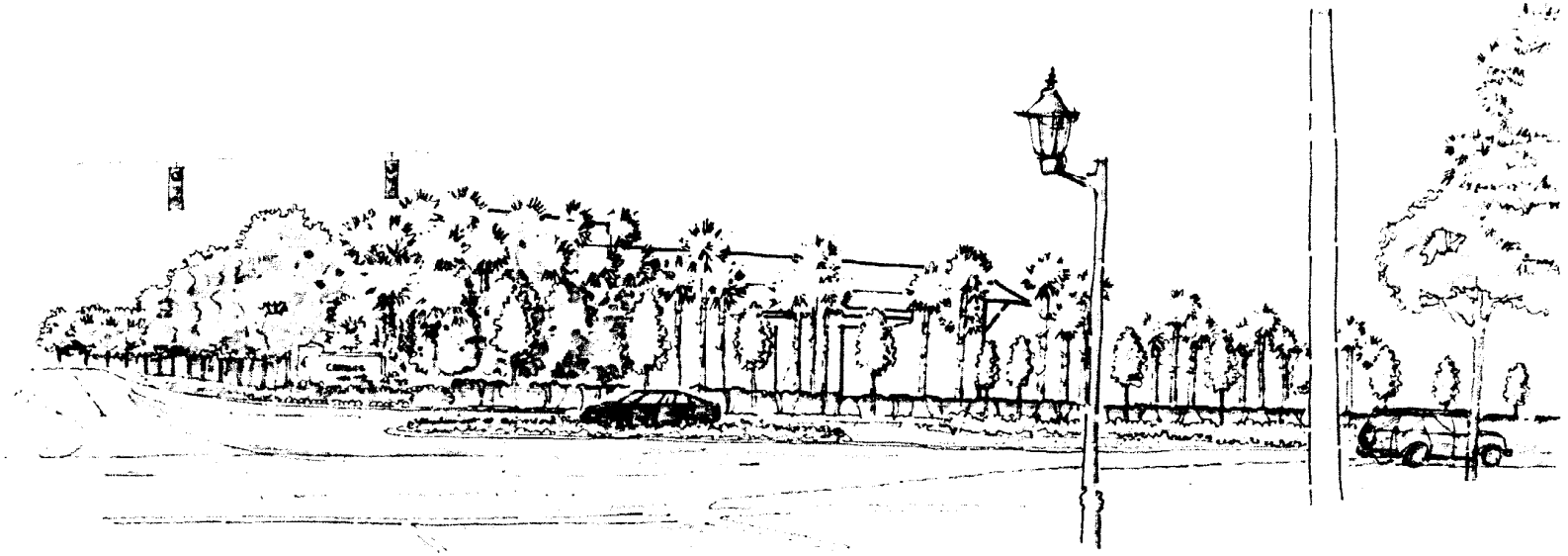
*I:\10000\2006\071906 cdh to Wayne Arnold Naples Daily News.doc*

2350 Stanford Court ▪ Naples, Florida 34112
(239) 434-0333 ▪ Fax (239) 434-9320

Attachment: Attachment A - Ord. 06-49 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

NAPLES DAILY NEWS

Date: 10.11.06



CONCEPTUAL VIEW FROM IMMOKALEE ROAD

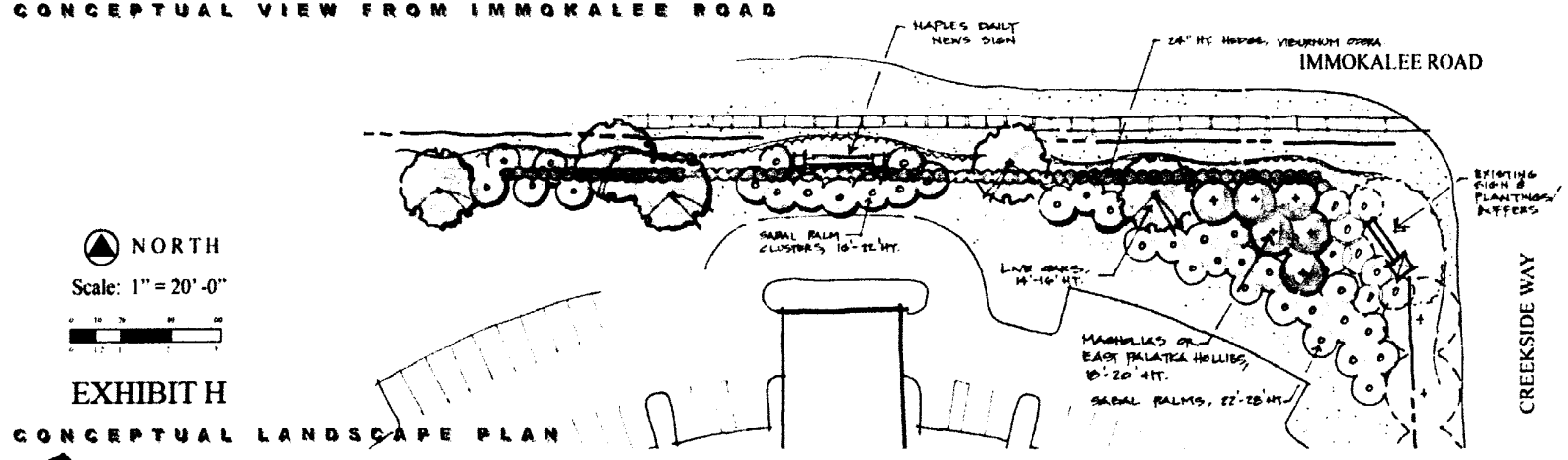



EXHIBIT H

CONCEPTUAL LANDSCAPE PLAN

Q. GRADY MINOR & ASSOCIATES, P.A.

QGM DESIGN





Attachment: Attachment A - Ord. 06-49 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

STATE OF FLORIDA)

COUNTY OF COLLIER)

I, DWIGHT E. BROCK, Clerk of Courts in and for the Twentieth Judicial Circuit, Collier County, Florida, do hereby certify that the foregoing is a true and correct copy of:

**ORDINANCE 2006-49**

Which was adopted by the Board of County Commissioners on the 24th day of October, 2006, during Regular Session.

WITNESS my hand and the official seal of the Board of County Commissioners of Collier County, Florida, this 2nd day of November, 2006.

DWIGHT E. BROCK
Clerk of Courts and Clerk
Ex-officio to Board of
County Commissioners

By: Teresa Dillard, DC
Deputy Clerk

Attachment: Attachment A - Ord. 06-49 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

RECEIVED
APR 2011

**ORDINANCE NO. 11 - 09**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, AMENDING ORDINANCE NO. 06-49, THE NAPLES DAILY NEWS BUSINESS PARK PLANNED UNIT DEVELOPMENT (BPPUD), BY AMENDING SECTION 2.9 OF 06-49 TO ALLOW A CHANGE IN THE PLANT MATERIALS IN THE LANDSCAPE BUFFER; AND PROVIDING AN EFFECTIVE DATE.**

FILED
2011 APR 18 AM 10:

WHEREAS, on October 24, 2006, the Board of County Commissioners approved Ordinance No. 06-49 which established the Naples Daily News Business Park Planned Unit Development (BPPUD); and

WHEREAS, Bruce Anderson, Esquire of Roetzel and Andress, LPA, representing Scripps Media, Inc. d/b/a Naples daily News, petitioned the Board of County Commissioners of Collier County, Florida to amend Ordinance 06-49, the Naples Daily News Business Park Planned Unit Development.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA that:

**SECTION ONE: AMENDMENTS TO SECTION 2.9 OF ORDINANCE 06-49.**

2.9 LANDSCAPE BUFFERS, BERMS, FENCES AND WALLS

Landscape buffers, berms, fences and walls are generally permitted as a principal use throughout the Naples Daily News BPPUD. The following standards shall apply:

D. The developer will supplement the existing ficus hedge which presently serves as a buffer between the ~~proposed~~ BPPUD and ~~the~~ The Estates at Bay Colony ~~Development with 80 live oak trees 12 feet high with a minimum spread of 6 feet at the time of planting. Additionally these oak trees will be supplemented with ficus trees, to the extent the County will allow the use of ficus trees, to create an opaque buffer. The developer agrees to work with the Bay Colony Property Owners~~' Golf Club Neighborhood Association ~~to gain County approval for the use of the ficus trees,~~ Inc. and the Bay Colony Golf Club, Inc. ("Bay Colony") with eighty (80) Clusia Rosea trees with a size of at least twenty-five (25) gallon containers to be planted as designated by Bay Colony.

Attachment: Attachment B - Ord. 11-09., amending (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

The supplementary ~~oak and ficus~~Clusia Rosea trees will be located in the buffer area at field selected locations between the Creekside PUD on the east and the point on the west where the buffer turns south. This distance is approximately eleven hundred (1,100) feet.

In the event that the ficus hedge ~~is~~and/or Clusia Rosea trees are damaged by a windstorm to the extent of a reduction in the opaque value of 50% or more, the developer agrees to ~~replace~~restore by replacement or resetting, whichever is appropriate, any of the ~~80 live oak trees~~ Clusia Rosea ~~(~~installed ~~above and install)~~ or ~~reset the~~ ficus trees ~~as necessary~~(existing) within the eleven hundred (1,100) foot area, with the intent to restore the buffer as close to its pre-storm condition as reasonably possible considering the availability of tree materials at the time of the restoration. The replacement or resetting of the trees will be for a total of one hundred sixty (160) trees. Whether the restoration will be with Clusia Rosea or ficus trees or both will be at the discretion of Bay Colony. Developer shall be relieved of any further obligation or responsibility to restore the buffer after the initial replacement or resetting has occurred. After the initial replacement or resetting of the one hundred sixty (160) trees has occurred, Bay Colony may, in its sole discretion, replace or reset any of said trees.

**SECTION TWO: EFFECTIVE DATE.**

This Ordinance shall become effective upon filing with the Department of State.

PASSED AND DULY ADOPTED by super-majority vote by the Board of County Commissioners of Collier County, Florida, this 12th day of April, 2011.

ATTEST:
DWIGHT E. BROCK, CLERK

By: _____, Deputy Clerk

Attest as to Chairman's signature only.

Approved as to form
and legal sufficiency:

Steven T. Williams
Assistant County Attorney STW 4/4/11

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

By: _____
FRED W. COYLE, Chairman

This ordinance filed with the Secretary of State's Office the 18th day of April, 2011 and acknowledgement of that filing received this 21st day of April, 2011.

By: _____, Deputy Clerk

CP\10-CPS-01058\10

Words ~~struck through~~ are deleted; words underlined are added



Attachment: Attachment B - Ord. 11-09., amending (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

STATE OF FLORIDA)

COUNTY OF COLLIER)

I, DWIGHT E. BROCK, Clerk of Courts in and for the Twentieth Judicial Circuit, Collier County, Florida, do hereby certify that the foregoing is a true and correct copy of:

**ORDINANCE 2011-09**

Which was adopted by the Board of County Commissioners on the 12th day of April, 2011, during Regular Session.

WITNESS my hand and the official seal of the Board of County Commissioners of Collier County, Florida, this 14th day of April, 2011.

DWIGHT E. BROCK
Clerk of Courts and Clerk
Ex-officio to Board of
County Commissioners

By: Teresa Polaski,
Deputy Clerk

Attachment: Attachment B - Ord. 11-09., amending (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

Collier County
Growth Management Department
Zoning Services Section

April 15, 2021

Ms. Paula McMichael
Hole Montes, Inc.
950 Encore Way
Naples, FL. 34110

**APR-PL20210000638:** Administrative Parking Reduction (APR) for 1100 Immokalee Road, Naples, FL. 34108 in Section 27, Township 48, Range 25 of unincorporated Collier County, Florida. Folio #00168040601 is comprised ±19.85 acres.

Ms. McMichael,

On or about March 18, 2021, you applied for an Administrative Parking Reduction (APR) for 1100 Immokalee Road to reduce the required number of parking spaces.

**Submitted Documents:**
Application, addressing checklist, affidavit of authorization, property ownership disclosure, latest approved SDP, survey, and description of requested deviation.

**Zoning**:
The current official zoning atlas, an element of the Collier Land Development Code (LDC), Ordinance 04-41, as amended, shows that the subject property is part of the Naples Daily News Building Park Planned Unit Development (BPPUD).

**Project Summary:**
Naples Community Hospital (NCH) purchased the building in Parcel A of the PUD and will use the building for professional office uses and warehousing of medical equipment. NCH is requesting an Administrative Parking Reduction to maintain the number of required parking spaces as what was granted in an earlier Administrative Parking Reduction (APR-2007-AR-11611). NCH justifies this request by showing that the hospital's use of the warehousing/storage space will be for "dead" storage of medical equipment requiring only two employees and thus only two parking spaces as opposed to the former requirement of 109 spaces when the Naples Daily News used the warehouse for receiving, printing, sorting and multiple daily distribution activities.

**Review Comments:**
Ord. 06-49 is the governing document for the Naples Daily News BPPUD but does not specify parking requirements therefore LDC 4.05.04 – Parking Space Requirements – applies.

Attachment: Attachment C - APR-PL20210000638 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

In the 2004 LDC 4.05.04.G.Table 17, the required parking space requirements for industrial use/activity manufacturing/processing (not otherwise listed) and the required amount of parking on the subject parcel is shown to the right.

| Required Spaces Based on 2004 LDC 4.05.04.G | | | |
|---|---|---|---|
| | 1 space per sq ft | Square Feet | Spaces Required |
| Office | 275 | 79,214 | 288 |
| Production | 500 | 79,743 | 159 |
| Storatge | 1,000 | 20,541 | 21 |
| Total | | 179,498 | 468 |

The approved Administrative Parking Reduction (APR-2007-AR-11611) used in the Site Development Plan (SDP-2007-AR-11770) required the number of parking spaces shown to the right.

| Required Spaces Based on APR 2007-AR-11611 | | | |
|---|---|---|---|
| | 1 space per sq ft | Square Feet | Spaces Required |
| Office | 460 | 79,214 | 172 |
| Production | 460 | 79,743 | 173 |
| Storatge | - | 20,541 | - |
| Total | | 179,498 | 346 |

Naples Community Hospital proposes to use the building in a different manner than that used by the Naples Daily News. It should be noted that the square foot totals used by NCH are slightly higher than those used by the Naples Daily News. This may be due to reconfigurations of the interior layout. Based on the current LDC the parking requirements for NCH are shown to the right. (Current LDC requirements differ from the 2004 LDC requirements.)

| Required Spaces Based on Current LDC 4.05.04.G | | | |
|---|---|---|---|
| | 1 space per sq ft | Square Feet | Spaces Required |
| Office | 300 | 77,563 | 259 |
| Warehouse /Storage | 1,000 | 108,940 | 109 |
| Total | | 186,503 | 367 |

NCH states that the use of the warehouse/storage space will be for the "dead" storage of medical equipment requiring a maximum of two employees. Based on the provided layout and adjusting the warehouse/storage space to needing only two (2) parking spaces, the number of required spaces would be 261 as shown to the right.

| Required Spaces Based on Current LDC 4.05.04.G | | | |
|---|---|---|---|
| | 1 space per sq ft | Square Feet | Spaces Required |
| Office | 300 | 77,563 | 259 |
| Warehouse /Storage | - | 108,940 | 2 |
| Total | | 186,503 | 261 |

SPD-2007-AR-11770 states the available parking at Parcel A shown to the right which is the same amount of parking today.

| Current Parkign Spaces (SDP-2007-AR-11770) | |
|---|---|
| Regular Parking Spaces | 350 |
| Handicapped Parking Spaces | 8 |
| Bicycle Parking Spaces | 15 |
| Loading Zone Parking Spaces | 10 |

NCH is asking for a reduction of 17 spaces from the 367 required spaces calculated from the current LDC 4.05.04.G without factoring in the proposed use of the warehouse/storage space as "dead" storage which has a significantly lower amount of required parking. The requested reduction of 17 spaces is a 4.6

Attachment: Attachment C - APR-PL20210000638 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

percent (4.6%) reduction in parking based on current LDC requirements. Further, NCH is maintaining the current existing amount of parking on site.

LDC subsection 4.05.04.F.4 states: *"The County Manager or designee may determine the minimum parking requirements for a use which is not specifically referenced below of for which an applicant has provided evidence that a specific use is of such a unique nature that the applicable minimum parking ratio listed in this LDC should not be applied. In making such a determination the County Manager or designee may require submission of parking generation studies; evidence of parking ratios applied by other counties and municipalities for the specific use; reserved parking pursuant to section 4.05.05; and other conditions and safeguards deemed to be appropriate to protect the public health, safety, and welfare."*

**Findings / Conclusion**: 1) There will be no reduction in the current amount of available parking. 2) NCH states the proposed use of the warehouse/storage space will result in a 98 percent (98%) decrease in parking demand for the warehouse/storage portion of the building from 109 to 2 spaces. 3) Calculating the required parking based on NCH's proposed use of the warehouse/storage results in a required number of spaces that is far below currently available parking.

**Approval:**
Given the information provided, Zoning Staff hereby **approves** the APR request to hold the required amount of parking to the 350 regular, eight (8) handicapped, 15 bicycle and 10 loading dock spaces currently available as permitted under LDC 4.05.04.A. This approval is subject to the following:

A. Approval of this Administrative Parking Reduction is largely predicated on the information outlined above and the evidence presented in the application request. Any changes to the facilities or business operation or conversion to another business shall necessitate a re-review of this parking reduction which may result in the need for additional parking spaces to be provided.

B. This APR and the referenced parking summary/tabulation must be referenced as part of any SDP or any future amendment or insubstantial change as required by Code.

C. If at any time Collier County officials determine insufficient parking exists to safely support the subject hotel establishment, accessory uses and restaurant, the applicant/owner, must act to alleviate the problem by any means necessary.

D. Approval of this APR is further predicated on SDPA approval.

If you should have any questions, please do not hesitate to contact me.

Sincerely,

bellows_r
Digitally signed by bellows_r
Date: 2021.04.15 11:00:31 -04'00'

Ray Bellows
Zoning Manager



Attachment: Attachment C - APR-PL20210000638 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

# Collier County Property Appraiser
# Property Summary

| Parcel No | 00168040601 | Site Address *Disclaimer | 1100 IMMOKALEE RD | Site City | NAPLES | Site Zone *Note | 341( |
|---|---|---|---|---|---|---|---|

| Name / Address | NCH HEALTHCARE SYSTEM INC | | | | |
|---|---|---|---|---|---|
| | PO BOX 413001 | | | | |
| City | NAPLES | State | FL | Zip | 34101 |

| Map No. | Strap No. | Section | Township | Range | Acres *Estimated |
|---|---|---|---|---|---|
| 3A27 | 000100 013 3A27 | 27 | 48 | 25 | 19.85 |

| Legal | 27 48 25 FROM NW CNR SEC 27, S 125.02 FT, N 45 DEG E 35.08FT, S 89 DEG E 573.46 FT, S 86 DEG E 500.61 FT, S 89 DEG E 147.09 FT TO POB, S 1175.51 FT,W 1245 FT, S 475.22 FT, E 577.78 FT, NELY 46.92 FT, CONT NELY 110.88 FT, N 187.5 FT, NELY 573 +/- FT, SELY 657.60 +/-FT, N 1474.24 FT, WLY TO POB LESS 3.76AC DESC AS: COMM AT NW CNR SEC 27, S 1358.77FT TO POB, E 67.48FT, ALG CUR 154.69 FT, NELY 3.40FT, SELY ALG CURVE 199.06FT, S 320.82FT, W 396.46 FT, N 436.48FT TO POB LESS CREEKSIDE BLVD EXTENSION DESC IN OR 2850 PG 2368 LESS PARCEL 26 FOLIO # 00168043006 LESS IMMOKALEE RD PARCEL DESC IN C 3668 PG 1836, LESS PORTION NOT INCLUDED IN DESC OF "PARCEL 3" IN OR 4155 PG 33, AND 27 48 25 ELY 2.25AC DESC AS: FROM NW CNR SEC 27, S 125.02FT, NELY 34.99FT, S 89DEG E 634.22FT TO POB; S 89DEG E 12.87FT, SOUT 1175.51FT, SWLY ALG CURVE 52.98FT, S 89DEG W 74.77FT, NELY 40.74FT, N 830.91FT, ELY 133.52FT, N 224.63FT TO POB |
|---|---|

| Millage Area | 133 | Millage Rates *Calculations | | |
|---|---|---|---|---|
| Sub./Condo | 100 - ACREAGE HEADER | School | Other | Total |
| Use Code | 41 - LIGHT MANUFACTURING, SMALL EQUIPMENT | 5.016 | 5.7924 | 10.8084 |

## Latest Sales History

(Not all Sales are listed due to Confidentiality)

| Date | Book-Page | Amount |
|---|---|---|
| 12/14/20 | 5862-853 | $ 28,000,000 |
| 01/01/15 | 5110-698 | $ 0 |
| 12/04/09 | 4532-1532 | $ 0 |
| 02/13/09 | 4428-510 | $ 0 |
| 12/15/06 | 4155-19 | $ 23,075,000 |
| 12/08/94 | 2009-1568 | $ 876,800 |

## 2020 Certified Tax Roll

(Subject to Change)

| | | |
|---|---|---|
| | Land Value | $ 7,155,8( |
| (+) | Improved Value | $ 17,934,3( |
| (=) | Market Value | $ 25,090,1' |
| (=) | Assessed Value | $ 25,090,1' |
| (=) | School Taxable Value | $ 25,090,1' |
| (=) | Taxable Value | $ 25,090,1' |

If all Values shown above equal 0 this parcel was created after the Final Tax Roll

Attachment: Attachment C - APR-PL20210000638 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

# Collier County Property Appraiser
# Property Aerial

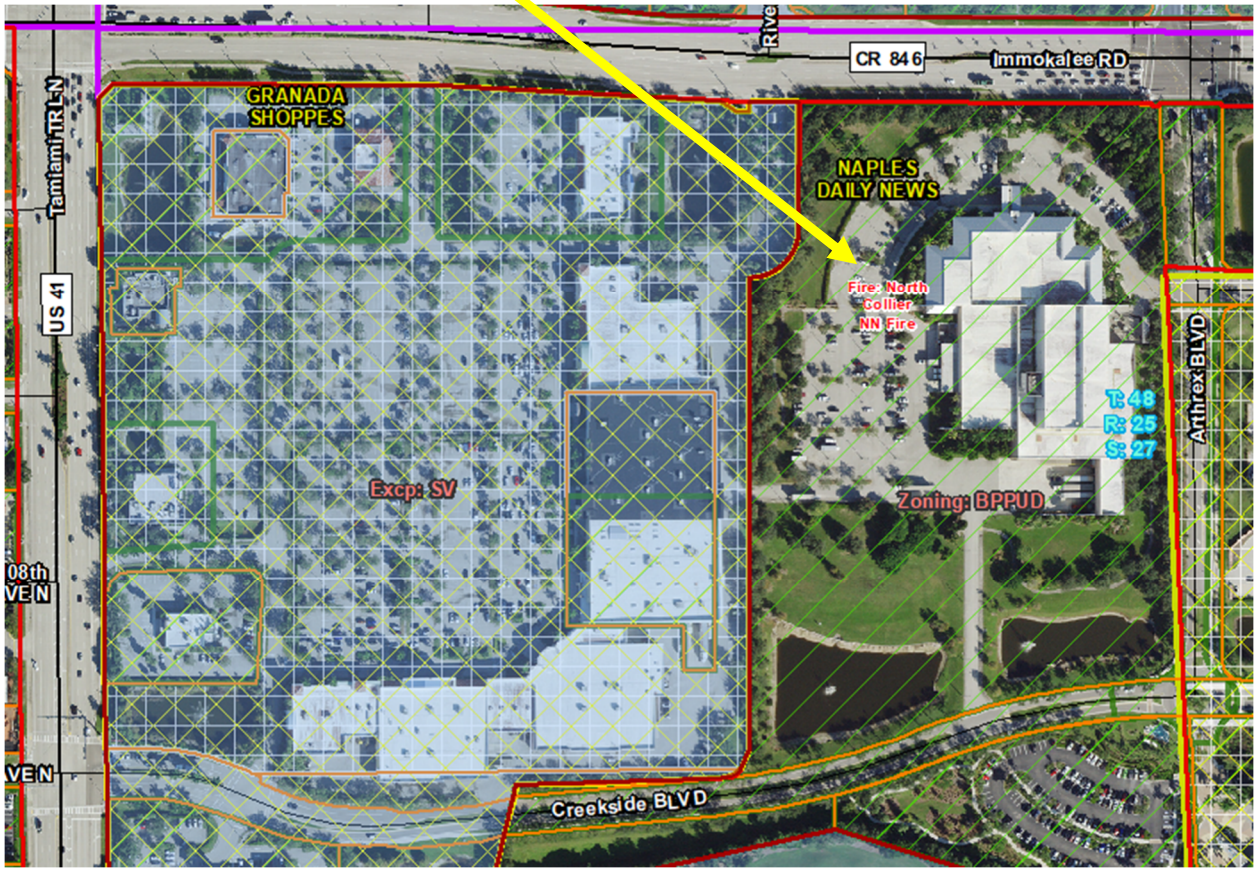
| Parcel No | 00168040601 | Site Address *Disclaimer | 1100 IMMOKALEE RD | Site City | NAPLES | Site Zone *Note | 341( |
|---|---|---|---|---|---|---|---|




Open GIS in a New Window with More Features.

Attachment: Attachment C - APR-PL20210000638 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

Official Zoning Map for 1100 Immokalee Rd., Naples, Folio #00168040601
(Yellow arrow points to subject property.)




Attachment: Attachment C - APR-PL20210000638 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

NCH Downtown Naples Hospital
350 Seventh Street N.
Naples, FL 34102
(239) 624-5000

NCH Healthcare System

NCH North Naples Hospital
11190 Healthpark Blvd.
Naples, FL 34110
(239) 552-7000

3/10/2021

Raymond V. Bellows, Zoning Manager
Zoning Division - Zoning Services Section
Growth Management Department
2800 N. Horseshoe Dr.
Naples, FL 34104

To Mr. Bellows,

As part of our Comparable Use Zoning application for the former Naples Daily News building located at 1100 Immokalee Road in North Naples, Naples Community Hospital, Inc. is requesting an Administrative Parking Reduction to allow the existing 350 parking spaces to meet the code-required parking for the new use (a reduction of 17 spaces from the current code requirement of 367 spaces).

Under the current zoning approval, it is our understanding that 109 spaces (of the total 367) are required by and allocated to the storage/warehousing function within the building. Unlike the previous Naples Daily News usage (which was an active warehouse with receiving, printing, sorting and multiple daily distribution activities), the Naples Community Hospital use for the warehouse space is primarily as a storage function with 2 full-time employees assigned to the area.

We request that a parking reduction waiver is approved to allow the continued requirement of 350 spaces.

Thank you.

Sincerely,

Jack B. Ullrich
Director of Facilities Development
Naples Community hospital, Inc.

Attachment: Attachment C - APR-PL20210000638 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

## ADMINISTRATIVE PARKING REDUCTION

## NARRATIVE

The Naples Daily News BPPUD (approved by Ordinance 2006-49) is located on the south side of Immokalee Road, approximately a quarter mile east of the intersection of Immokalee Road and US 41, in Section 27, Township 48 South, Range 25 East, Collier County, Florida. The Naples Daily News BPPUD is 35± acres and allows a range of industrial and light industrial uses, administrative, and accessory uses such as administrative offices and warehousing. Naples Community Hospital (NCH) has purchased the building located in Parcel A (as depicted on the BPPUD Master Plan) and will occupy it for professional office uses, such as accounting, billing, and scheduling; and warehousing of medical equipment.

A Site Development Plan to allow construction of the current building on Parcel A was approved in 2008 (SDP-2007-AR-11770). Parcel A was granted a reduction in the number of required parking spaces, from the code required 469 spaces to 346 spaces, based on an analysis of required parking for the Naples Daily News facility that established an average ratio of parking of one required parking space per 460 sq. ft. of office and production area and no additional parking for storage. The new use of the building for NCH requires 367 parking spaces, calculated as shown below.

| **Proposed use** | **Total SF** | **Parking Standard** | **Spaces Required** |
|---|---|---|---|
| **General office** | 77,563 sq. ft. | 1 per 300 sq. ft. | 258 |
| **Warehousing/storage** | 108,940 sq. ft. | 1 per 1,000 sq. ft. | 109 |
| | 186,503 sq. ft. | **TOTAL** | **367** |

The applicant has provided a letter attesting to the fact the warehousing/storage use of the building by NCH will generate only two employees; therefore, the required parking for the building utilizing the LDC standard far overstates the required parking for the building. Naples Daily News utilized over 80,000 sq. ft. of the 108,940 sq. ft. of warehousing/storage portions of the building as part of an active warehouse, production area, and printing press for a daily newspaper. NCH will utilize these portions of the building for "dead" storage associated with 2 employees and no visitors. Excluding storage areas from parking generation is consistent with the currently approved APR. The 350 parking spaces presently constructed on-site are sufficient to meet the parking demand of the unique uses of the building.

Attachment: Attachment C - APR-PL20210000638 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

## LEGEND

ASPHALT PAVEMENT
CONCRETE
TYPE D CURB
TYPE F CURB
PAVER
BUILDING HEIGHT OVER 50'
DRY PRE-TREATMENT AREA

## SITE SUMMARY

| DESCRIPTION | AREA | % OF TOTAL AREA |
|---|---|---|
| TOTAL BUILDING FOOTPRINT | 112,398 SF | 14.3% |
| TOTAL IMPERVIOUS AREA (PAVEMENT/WALKS/DRIVEWAYS) | 222,479 SF | 28.4% |
| TOTAL LAKE AREA | 89,298 SF | 11.4% |
| TOTAL LANDSCAPE/OPEN SPACE (PERVIOUS AREA) | + 360,545 SF | + 45.9% |
| TOTAL SITE AREA (18.01 ACRES) | 784,720 SF | 100% |

## BREAKDOWN OF PROPOSED BUILDING AREA BY USE

| DESCRIPTION/USE | 1ST FLOOR | 2ND FLOOR | 3RD FLOOR | TOTAL | % OF TOTAL FLOOR AREA |
|---|---|---|---|---|---|
| ASSEMBLY | 6,180 SF | 1,161 SF | 0 SF | 7,341 SF | 3.94% |
| BUSINESS | 31,094 SF | 39,128 SF | 0 SF | 70,222 SF | 37.65% |
| FACTORY | 55,059 SF | 13,815 SF | 0 SF | 68,874 SF | 36.93% |
| STORAGE | 16,870 SF | 3,209 SF | 0 SF | 20,079 SF | 10.77% |
| MECHANICAL | 1,795 SF | 3,059 SF | 15,133 SF | 19,987 SF | 10.72% |
| TOTAL | 110,998 SF | 60,372 SF | 15,133 SF | 186,503 SF | 100% |

## ZONING SUMMARY

SUBJECT PROPERTY: BPPUD (NAPLES DAILY NEWS)

SURROUNDING
NORTH: IMMOKALEE ROAD ROW, THEN PUD (COLLIER TRACT 22)
EAST: CPUD (CREEKSIDE COMMERCE PARK)
SOUTH: BPPUD (NAPLES DAILY NEWS), THEN PUD (PELICAN MARSH)
WEST: PUD (GRANADA SHOPPES)

## PARKING SUMMARY

GRANADA SHOPPES PUD

| BUILDING AREA | AREA | PARKING RATIO | REQ. SPACES |
|---|---|---|---|
| OFFICE(BUSINESS/ASSEMBLY) | 77,563 SF | 1 SPACE/460 SF* | 168.6 |
| PRODUCTION (FACTORY) | 68,874 SF | 1 SPACE/460 SF* | 149.7 |
| STORAGE/MECHANICAL | 40,066 SF | 0* | + 0 |
| | | | 319 |
| PER EDC APPLICATION, 50 NEW EMPLOYEES IN 3 SHIFTS | | | + 17 |
| (PEAK SHIFT AT 50/3 ≈17 SPACES) | | TOTAL: | 336 |
| HANDICAP PARKING PARKING SPACES: | | | 8 |
| BICYCLE PARKING SPACES: 0.05(319)=16 15 MAX | | | 15 |
| LOADING ZONE SPACES: (186,503 SF) (3)50,000 (5.4) 136,503 | | | 9 |

| | PROV. SPACES |
|---|---|
| | 350 |
| | 8 |
| | 15 |
| | 10 |

*PARKING REQUIREMENTS ARE APPLIED ACCORDING TO ADMINISTRATIVE PARKING REDUCTION (APR-2007-AR-11611) APPROVAL LETTER DATED APRIL 27, 2007.

## BUILDING DEVELOPMENT STANDARDS*

| SETBACKS | REQUIRED | PROVIDED |
|---|---|---|
| FRONT YARD (NORTH) - IMMOKALEE ROAD | 50' | 212' |
| SIDE YARD (WEST) - GRANADA SHOPPES | 10' | 220' |
| SIDE YARD (EAST) - GRANADA SHOPPES | 10' | 78' |
| REAR YARD (SOUTH) - CREEKSIDE BLVD. | 10' | 295' |
| FROM PUD BOUNDARY | 50' | 78' MIN. |
| PRESERVES (PRINCIPAL STRUCTURE) | 25' | N/A |
| PRESERVES (ACCESSORY STRUCTURE) | 10' | N/A |
| PORTION OF BUILDING EXCEEDING 50' IN HEIGHT | 139.3 AT 69.8' HIGH** | 139.4' |
| | 143.3 AT 71'8" HIGH** | 161' |
| FROM CONTROL ELEVATION OF LAKE (PRINCIPAL STRUCTURE) | 20' | 161.6' |
| FROM CONTROL ELEVATION OF LAKE (ACCESSORY STRUCTURE) | 10' | N/A |
| MINIMUM BUILDABLE AREA | 20,000 SF | 635,605 SF |
| MINIMUM BUILDABLE LOT WIDTH | 100' | 536' |
| DISTANCE BETWEEN STRUCTURES | 15' | N/A |
| MAXIMUM HEIGHT OF STRUCTURES | 75' | 71'8" |
| MINIMUM FLOOR AREA | 1,000 SF | 186,503 SF |

*BUILDING DEVELOPMENT STANDARDS PER PUD ORD. NO. 06-49.
**FOR THAT PORTION OF A BUILDING EXCEEDING FIFTY (50') IN HEIGHT, THAT PORTION SHALL BE REQUIRED TO MAINTAIN A MINIMUM SETBACK FROM THE PROPERTY LINE AT A RATIO OF TWO HORIZONTAL FEET FOR EACH ONE FOOT OF VERTICAL HEIGHT.

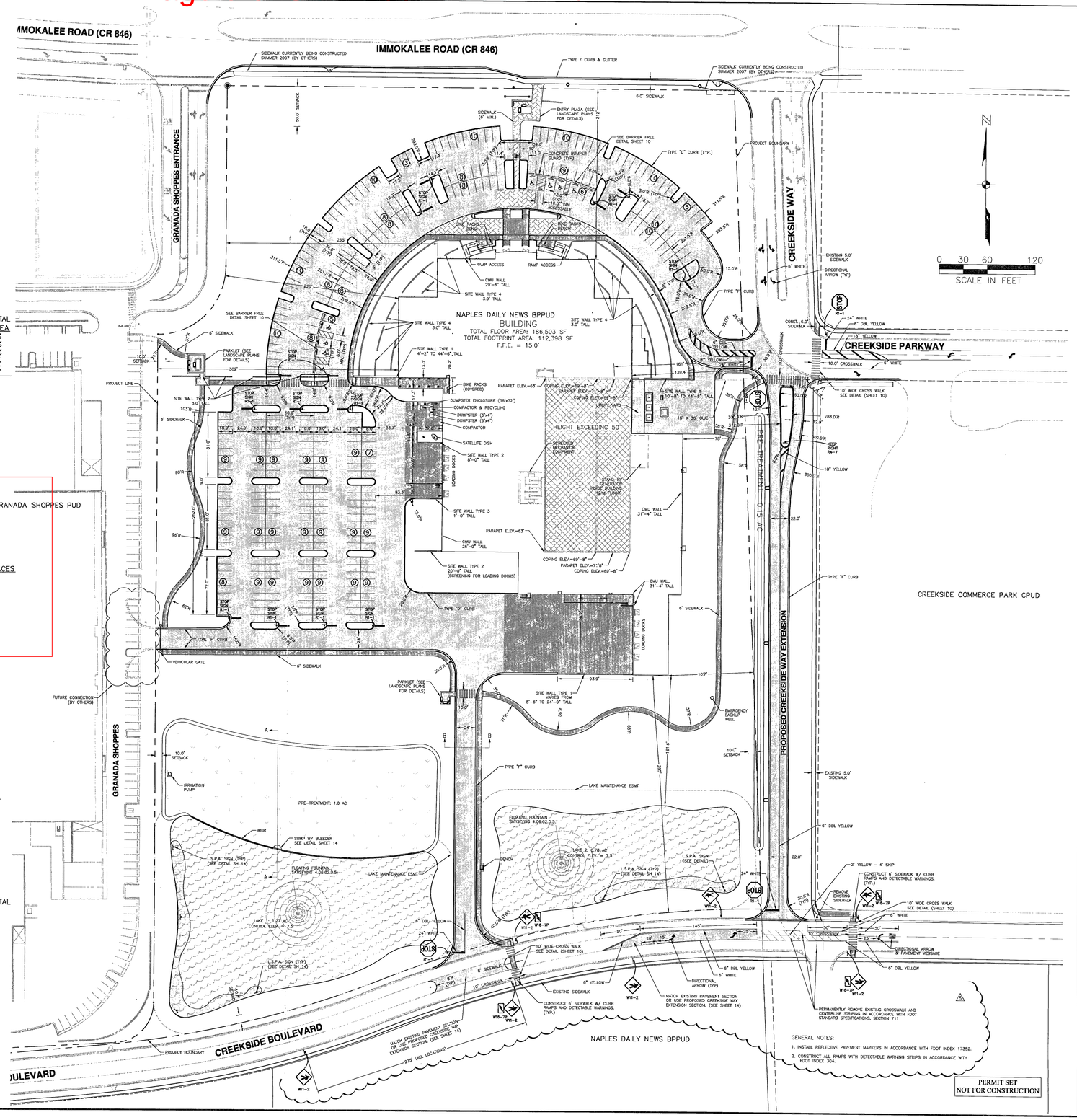
## LSPA CALCULATION TABLE

| LAKE # | AREA (SF) | REQUIRED L.S.P.A. (SF) | PROVIDED L.S.P.A. (SF) |
|---|---|---|---|
| 1 | 55,321 | 3,872 | 3,932 |
| 2 | 33,977 | 2,378 | 2,434 |
| TOTALS | 89,298 | 6,250 | 6,366 |

NOTES:
1. EIGHTY PERCENT VEGETATIVE COVERAGE OF THE LSPA IS REQUIRED WITHIN A 2-YEAR PERIOD FOLLOWING THE INITIAL PLANTING AND SHALL BE MAINTAINED IN PERPETUITY.
2. REFER TO SHEET 14 FOR LITTORAL REQUIREMENTS AND PLANTING PLAN.

## GENERAL NOTES

1. ALL RADII DIMENSIONS ARE TO EDGE OF PAVEMENT.
2. SEE ARCHITECTURAL PLANS FOR WALL TYPE CONSTRUCTION.




GENERAL NOTES:
1. INSTALL REFLECTIVE PAVEMENT MARKERS IN ACCORDANCE WITH FDOT INDEX 17352.
2. CONSTRUCT ALL RAMPS WITH DETECTABLE WARNING STRIPS IN ACCORDANCE WITH FDOT INDEX 304.

PERMIT SET
NOT FOR CONSTRUCTION

JOHNSON ENGINEERING
2350 STANFORD COURT
NAPLES, FLORIDA 34112
PHONE (239) 434-0333
FAX (239) 434-9320
E.B. #642

ALAN T. CRAIG, P.E.
STATE OF FLORIDA
Professional Engineer, Registration No. 65647

JOHNSON ENGINEERING, INC.
2350 Stanford Court
Naples FL 34112
EB #0000642

Naples Daily News

# Site Development Plans
# Collier County, Florida

REVISIONS

| NO. | DESCRIPTION | DATE |
|---|---|---|
| 1 | SDP SUBMITTAL | 05/18/07 |
| 2 | REV AS PER COLLIER COUNTY | 06/29/07 |
| 3 | BUILDING PERMIT DOCUMENTS | 06/29/07 |
| 4 | REV AS PER COLLIER COUNTY | 08/27/07 |
| 5 | CONSTRUCTION DOCUMENTS | 10/01/07 |
| 6 | REV AS PER COLLIER COUNTY | 11/19/07 |

DATE: 04/13/07
PROJECT NO. 20066327
FILE NO. 27-48-25
SCALE: 1" = 60'

MASTER SITE PLAN

SHEET NUMBER
7



Attachment: Attachment C - APR-PL20210000192 CPUD Naples Daily News BPPUD (16030 : PL20210000638 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

# COLLIER COUNTY GOVERNMENT

**Community Development and Environmental Services Division**
Department of Zoning and Land Development Review
2800 North Horseshoe Drive • Naples, Florida 34104

Department of Zoning and Land Development Review

April 27, 2007

Ms. Laura Spurgeon
Johnson Engineering, Inc.
2350 Stanford Court
Naples, Florida 34112

RE: Administrative Parking Reduction APR-2007-AR-11611; for Collier County Publishing Company. The subject property is located at 1200 Immokalee Road, Section 27, Township 48 South, Range 25 East, Collier County, Florida, Folio number 00168040601.

Dear Ms. Spurgeon:

In your Administrative Parking Reduction (APR) application AR-11611 you request a reduction in the number of parking spaces required for the proposed Naples Daily News location in accordance with the Land Development Code (LDC) Section 4.05.04.F.2. This section of the LDC states that the County Manager or designee may determine the minimum parking requirements for a use which is not specifically referenced in that section or for which an applicant has provided evidence that a specific use is of such a unique nature that the applicable minimum parking ratio listed in the LDC should not be applied. This project has been approved for Fast Track status by Collier County Economic Development Council (EDC).

The Zoning and Land Development Review Department staff has reviewed the APR request for Naples Daily News. You indicate that this project is the production headquarters for a local newspaper. The production process requires a large area within the building for the production and storage of materials and equipment.

Your application contains parking statistics and analysis based on the existing parking needs at the Naples Daily News facility in the City of Naples. A study was completed over five business days in March, 2007. Throughout the entire study, the parking lot never reached capacity. You state that the average ratio of parking at peak times for the existing facility is one per 460 square feet of office and production area. You also state that storage areas have not been included in your proposal because storage is not an activity that generates vehicle trips above and beyond the employee and visitor parking



Phone (239) 403-2400 Fax (239) 643-6968 or (239) 213-2913 www.colliergov.net

Attachment: Attachment C - APR-PL20210000638 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

generated by the office and production area. Using the proposed parking calculation, the number of parking spaces would be reduced to 346 spaces based on 158,957 square feet of office and production, from the LDC requirement of 469 spaces (one per 500 square feet of production, one per 275 square feet of office and one per 1,000 square feet of storage area). The projected number of employees is 156 for office, 18 for production, with an estimated 15 visitors per peak shift, for a total number of 189 employees/visitors. The total reduction of parking spaces would be 123 spaces, or 26%.

The narrative provided states that the proposed reduction is based on the number of employees and also that the new facility is designed to accommodate the same activities and employees in more spacious conditions. It is staff's opinion that the proposed reduction in required parking requested is based on unique uses within the proposed Naples Daily News project and is appropriate. For this reason the APR meets the requirements of LDC Section 4.05.04.F.4.

Given the information you have provided which describes the unique conditions associated with this manufacturing project along with the various methods of calculating parking requirements, I hereby approve a reduction in the parking required for the Naples Daily News project to 346 spaces under the following conditions:

A. Approval of this Administrative Parking Reduction is predicated on the information outlined above and the evidence presented in the application request. Any changes to the facilities or business conditions or conversion to another business and/or use shall necessitate a re-review of the parking reduction which may result in the need for additional parking spaces to be provided.

B. If at any time the number of employee vehicles exceeds the number of spaces provided, Naples Daily News shall provide company-sponsored transportation for the employees, shall require employee car-pooling, or shall provide the total number of spaces required by LDC Section 4.05.04 Table 17 which as currently proposed is 469.

If you should have any questions, please do not hesitate to contact me.

Sincerely,

Susan M. Istenes

Susan M. Istenes, AICP, Director
Department of Zoning and Land Development Review

cc: SDP-2007-AR-11611 file
Correspondence file

Attachment: Attachment C - APR-PL20210000638 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

## ANALYSIS/FINDINGS

### Existing Naples Daily News Headquarters – Central Avenue Location

Per data provided by the Naples Daily News, the existing headquarters in downtown Naples operates with the following site conditions:

**Figure 1: Existing Site Conditions**

| EXISTING HEADQUARTERS | | |
|---|---|---|
| | **Building Square Feet** | **Peak Shift** |
| Office Area | 42,200 s.f. (45.5%) | 156 employees |
| Production Area | 50,412 s.f. (54.5%) | 18 employees |
| Public / Visitors | *Not Applicable* | 15 visitors |
| **TOTAL** | **92,612 s.f.** | **189 total** |

The existing site is in the City of Naples, however if Collier County LDC Section 4.05.04.G parking requirements were applied to the existing site, the required spaces would be based on building square footage. The total County LDC requirement calculates to 254 required spaces, as shown in the following table:

**Figure 2: Collier County LDC Requirements for Existing Site**

| EXISTING HEADQUARTERS | | |
|---|---|---|
| **Building Area** | **Parking Standard** | **Required Parking Spaces** |
| 42,200 s.f. Office Area | 1 space per 275 s.f. | 153 |
| 50,412 s.f. Production Area | 1 space per 500 s.f. | 101 |
| 0 s.f. Public / Visitors | *None* | 0 |
| **92,612 s.f. Total** | * | **Total 254** |

*The ratio of the total required parking for the gross office and production area is 1 space per 365 s.f.

In order to justify reduced parking provisions for the new headquarters, the documented parking usage at the current facility has been analyzed. A study of parking lot utilization is described below.

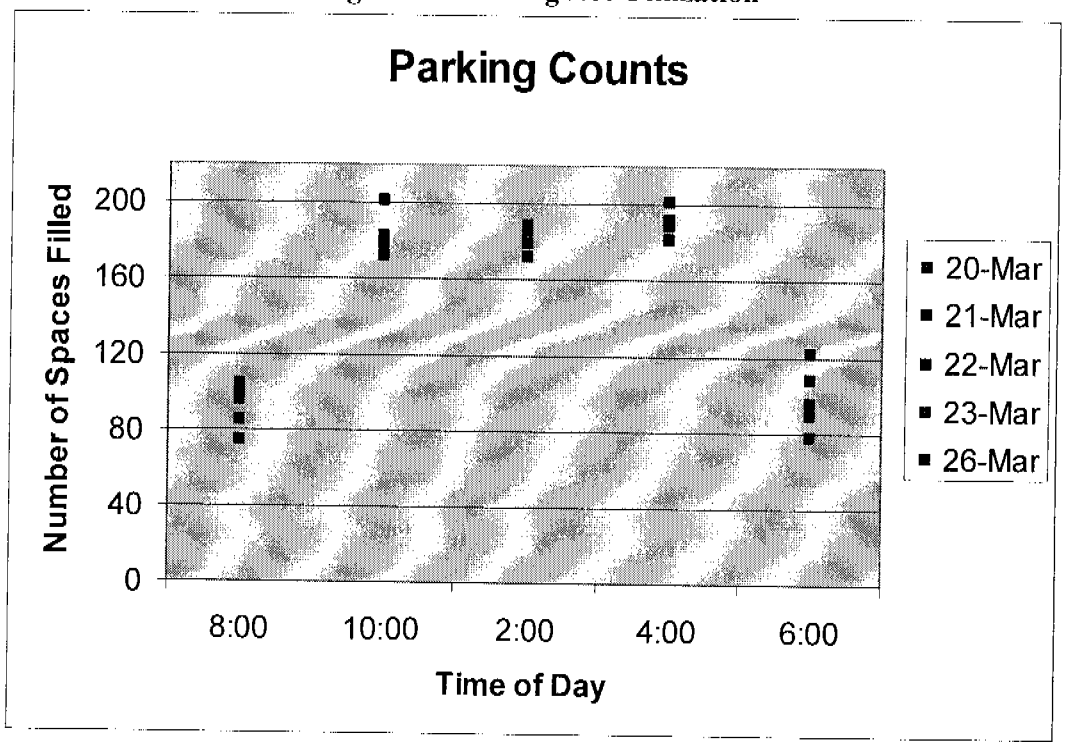


Attachment: Attachment C - APR-PL20210000638 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

**Existing Parking Lot Utilization – Central Avenue Location**

A count of cars and trucks in the existing Naples Daily News parking lot was conducted daily from 8:00 a.m. to 6:00 p.m. over the course of five business days in March 2007. Exhibit A, attached, includes all the parking data observed during this five day period. The chart below, labeled Figure 3, graphically depicts the parking usage during the five days surveyed. The data reveals that the parking lot never reached capacity. The data shows the highest usage was 201 vehicles in the lot on three incidents. Throughout the entire study period, the lot had empty spaces at all times. The lot consistently accommodated an average of 185 vehicles during peak hours of 10:00 am to 4:00 pm, and the usage dropped significantly, by approximately half, for other hours of the day.

**Figure 3: Parking Lot Utilization**




Based on the peak usage of 201 spaces and the total office and production area of 92,612 square feet at the existing facility, the actual parking ratio at peak times for the existing facility calculates to **1 space per 460 square feet of total office and production area.**



Attachment: Attachment C - APR-PL20210000638 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

**New Naples Daily News Headquarters – Immokalee Road Location**

Based on information provided by the Naples Daily News, the proposed Naples Daily News headquarters on Immokalee Road will operate with the following site conditions:

**Figure 3: New Site Conditions**

| NEW HEADQUARTERS - IMMOKALEE ROAD | | |
|---|---|---|
| | **Building Square Feet** | **Peak Shift** |
| Office Area | 79,214 s.f. (44.2%) | 156 employees |
| Production Area | 79,743 s.f. (44.4%) | 18 employees |
| Storage Area | 20,541 s.f. (11.4%) | 0 employees |
| Public / Visitors | *Not Applicable* | 15 visitors |
| **TOTAL** | **179,498 s.f.** | **189 total** |

The Naples Daily News BPPUD does not contain specific parking standards, so the requirements of the LDC apply. Based on parking requirements of LDC Section 4.05.04.G., the requirement for the new building is calculated as follows:

**Figure 4: Collier County LDC Requirements for New Site**

| NEW HEADQUARTERS – IMMOKALEE ROAD | | |
|---|---|---|
| **Building Area** | **Parking Standard** | **Required Parking Spaces** |
| 79,214 s.f. Office Area | 1 space per 275 s.f. | 288 |
| 79,743 s.f. Production Area | 1 space per 500 s.f. | 160 |
| 0 s.f. Public / Visitors | *None* | 0 |
| **158,957 s.f. Subtotal** | * | **448 Subtotal** |
| 20,541 s.f. Storage Area | 1 space per 1,000 s.f. | 21 |
| **179,498 s.f. Total** | ** | **469 Total** |

*The ratio of the total required parking for the gross office and production area is 1 space per 355 s.f.
** The ratio of total required parking for the gross office, production and storage area is 1 space per 383 s.f.

The total requirement of 469 parking spaces for this site far exceeds anticipated usage. The Naples Daily News indicates that the new headquarters is designed to accommodate activities and employees of the existing facility in more spacious conditions with additional storage. To reduce this parking requirement, the new facility is proposed to conform to the actual parking ratio at the existing facility of **1 space per 460 square feet of office and production area**. Storage areas are not included in the parking



Attachment: Attachment C - APR-PL20210000638 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

requirement, because storage is not an activity that generates vehicle trips above and beyond the employee and visitor parking generated by the office and production area. With 158,957 s.f. of office and production area proposed in the new building, this calculates to a total requirement of **346 parking spaces**. This number of spaces is considered more than adequate for the following reasons:

1. Documented usage of parking at the existing Naples Daily News averages 75%, and peaks at 83%, of the full Code requirement.

2. The new facility is designed to accommodate the same activities and employees in more spacious conditions. Therefore, additional square footage in the new headquarters will not yield a proportionate increase in parking needs. Since the ratio is being applied proportionately, the parking provision should be more than adequate.

   In addition to the parking study provided, the following factors also support such a reduction in the requirement:

3. The new headquarters is located along the Collier Area Transit (CAT) Red route, which allows an alternative transportation method for employees and visitors. The North Collier Hospital bus stop is only ½ –mile from the Naples Daily News site. (See attached Exhibit B for the CAT Route Map.)

4. The site borders the boundary for Activity Center #2 as identified in the Growth Management Plan. The Activity Center #2 map is attached as Exhibit C. Proximity of residential units within ½-mile and 1-mile radius walking and biking distance from the site is shown on the attached Vicinity Map, Exhibit D.

5. If necessary, parking problems can be addressed by the management of the Naples Daily News incentivizing and enforcing employee car pooling.



Attachment: Attachment C - APR-PL20210000638 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)



# COLLIER COUNTY GOVERNMENT

**Community Development and Environmental Services Division**
Department of Zoning and Land Development Review
2800 North Horseshoe Drive • Naples, Florida 34104

Department of Zoning and Land Development Review

April 27, 2007

Ms. Laura Spurgeon
Johnson Engineering, Inc.
2350 Stanford Court
Naples, Florida 34112

RE: Administrative Parking Reduction APR-2007-AR-11611; for Collier County Publishing Company. The subject property is located at 1200 Immokalee Road, Section 27, Township 48 South, Range 25 East, Collier County, Florida, Folio number 00168040601.

Dear Ms. Spurgeon:

In your Administrative Parking Reduction (APR) application AR-11611 you request a reduction in the number of parking spaces required for the proposed Naples Daily News location in accordance with the Land Development Code (LDC) Section 4.05.04.F.2. This section of the LDC states that the County Manager or designee may determine the minimum parking requirements for a use which is not specifically referenced in that section or for which an applicant has provided evidence that a specific use is of such a unique nature that the applicable minimum parking ratio listed in the LDC should not be applied. This project has been approved for Fast Track status by Collier County Economic Development Council (EDC).

The Zoning and Land Development Review Department staff has reviewed the APR request for Naples Daily News. You indicate that this project is the production headquarters for a local newspaper. The production process requires a large area within the building for the production and storage of materials and equipment.

Your application contains parking statistics and analysis based on the existing parking needs at the Naples Daily News facility in the City of Naples. A study was completed over five business days in March, 2007. Throughout the entire study, the parking lot never reached capacity. You state that the average ratio of parking at peak times for the existing facility is one per 460 square feet of office and production area. You also state that storage areas have not been included in your proposal because storage is not an activity that generates vehicle trips above and beyond the employee and visitor parking



Phone (239) 403-2400 Fax (239) 643-6968 or (239) 213-2913 www.colliergov.net

Attachment: Attachment D - APR-2007-AR-11611 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

generated by the office and production area. Using the proposed parking calculation, the number of parking spaces would be reduced to 346 spaces based on 158,957 square feet of office and production, from the LDC requirement of 469 spaces (one per 500 square feet of production, one per 275 square feet of office and one per 1,000 square feet of storage area). The projected number of employees is 156 for office, 18 for production, with an estimated 15 visitors per peak shift, for a total number of 189 employees/visitors. The total reduction of parking spaces would be 123 spaces, or 26%.

The narrative provided states that the proposed reduction is based on the number of employees and also that the new facility is designed to accommodate the same activities and employees in more spacious conditions. It is staff's opinion that the proposed reduction in required parking requested is based on unique uses within the proposed Naples Daily News project and is appropriate. For this reason the APR meets the requirements of LDC Section 4.05.04.F.4.

Given the information you have provided which describes the unique conditions associated with this manufacturing project along with the various methods of calculating parking requirements, I hereby approve a reduction in the parking required for the Naples Daily News project to 346 spaces under the following conditions:

A. Approval of this Administrative Parking Reduction is predicated on the information outlined above and the evidence presented in the application request. Any changes to the facilities or business conditions or conversion to another business and/or use shall necessitate a re-review of the parking reduction which may result in the need for additional parking spaces to be provided.

B. If at any time the number of employee vehicles exceeds the number of spaces provided, Naples Daily News shall provide company-sponsored transportation for the employees, shall require employee car-pooling, or shall provide the total number of spaces required by LDC Section 4.05.04 Table 17 which as currently proposed is 469.

If you should have any questions, please do not hesitate to contact me.

Sincerely,

Susan M. Istenes

Susan M. Istenes, AICP, Director
Department of Zoning and Land Development Review

cc: SDP-2007-AR-11611 file
Correspondence file



Attachment: Attachment D - APR-2007-AR-11611 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

# Collier County Publishing Company, Inc.

## Justification for

## Administrative Parking Reduction

## for

## Naples Daily News
## 1200 Immokalee Road
## Naples, FL

Prepared by:

Johnson Engineering, Inc.
2350 Stanford Court
Naples, FL 34112

Updated 4/30/07 per staff comment

Attachment: Attachment D - APR-2007-AR-11611 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

## BACKGROUND

Collier County Publishing Company, Inc. has operated the Naples Daily News headquarters on Central Avenue in downtown Naples for decades. Because it is an older facility, office spaces and production activities are compacted into limited space of the existing building.

The headquarters is scheduled to relocate to Immokalee Road in Collier County. The new site occupies Parcel A within the Naples Daily News Business Park Planned Unit Development (BPPUD), adopted by Ordinance 06-49.

At this time, Collier County Publishing Company, d/b/a Naples Daily News, is seeking a Site Development Plan for the new location. The new headquarters is designed as a more spacious facility in order to improve the work environment and accommodate new technology for production. Naples Daily News requests Administrative Parking Reduction approval to allow fewer than the Code required parking spaces for the site considering the documented parking usage at the existing headquarters, and the proposed space and utilization of the new headquarters.

Attachment: Attachment D - APR-2007-AR-11611 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

## ANALYSIS/FINDINGS

### Existing Naples Daily News Headquarters – Central Avenue Location

Per data provided by the Naples Daily News, the existing headquarters in downtown Naples operates with the following site conditions:

**Figure 1: Existing Site Conditions**

| EXISTING HEADQUARTERS | | |
|---|---|---|
| | **Building Square Feet** | **Peak Shift** |
| Office Area | 42,200 s.f. (45.5%) | 156 employees |
| Production Area | 50,412 s.f. (54.5%) | 18 employees |
| Public / Visitors | *Not Applicable* | 15 visitors |
| **TOTAL** | **92,612 s.f.** | **189 total** |

The existing site is in the City of Naples, however if Collier County LDC Section 4.05.04.G parking requirements were applied to the existing site, the required spaces would be based on building square footage. The total County LDC requirement calculates to 254 required spaces, as shown in the following table:

**Figure 2: Collier County LDC Requirements for Existing Site**

| EXISTING HEADQUARTERS | | |
|---|---|---|
| **Building Area** | **Parking Standard** | **Required Parking Spaces** |
| 42,200 s.f. Office Area | 1 space per 275 s.f. | 153 |
| 50,412 s.f. Production Area | 1 space per 500 s.f. | 101 |
| 0 s.f. Public / Visitors | *None* | 0 |
| **92,612 s.f. Total** | * | **Total 254** |

*The ratio of the total required parking for the gross office and production area is 1 space per 365 s.f.

In order to justify reduced parking provisions for the new headquarters, the documented parking usage at the current facility has been analyzed. A study of parking lot utilization is described below.

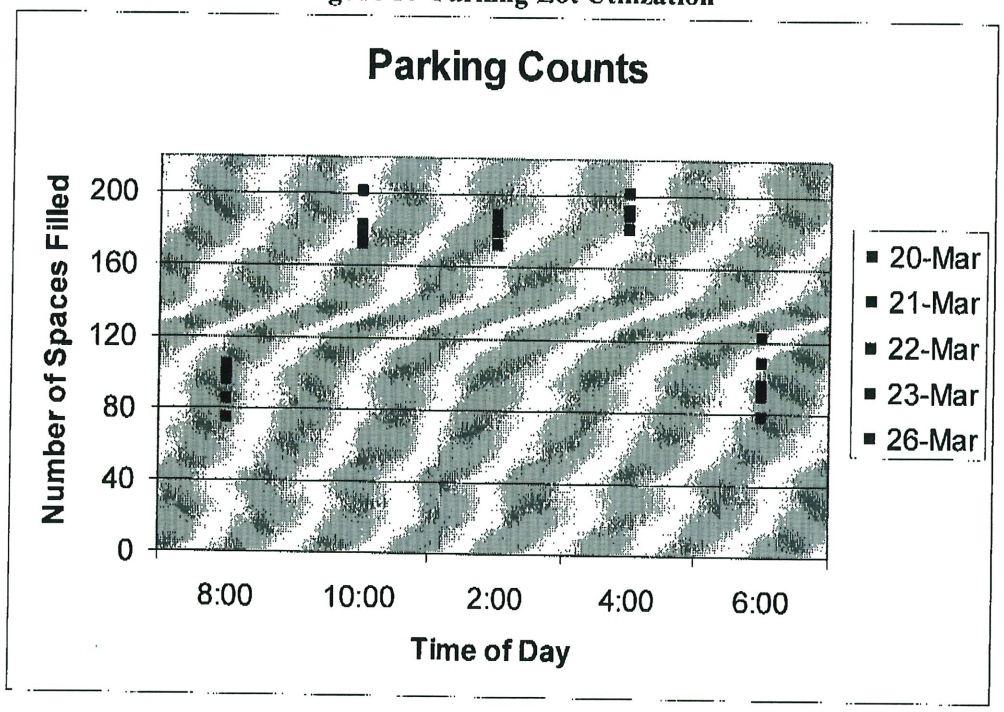


Attachment: Attachment D - APR-2007-AR-11611 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

**Existing Parking Lot Utilization – Central Avenue Location**

A count of cars and trucks in the existing Naples Daily News parking lot was conducted daily from 8:00 a.m. to 6:00 p.m. over the course of five business days in March 2007. Exhibit A, attached, includes all the parking data observed during this five day period. The chart below, labeled Figure 3, graphically depicts the parking usage during the five days surveyed. The data reveals that the parking lot never reached capacity. The data shows the highest usage was 201 vehicles in the lot on three incidents. Throughout the entire study period, the lot had empty spaces at all times. The lot consistently accommodated an average of 185 vehicles during peak hours of 10:00 am to 4:00 pm, and the usage dropped significantly, by approximately half, for other hours of the day.

**Figure 3: Parking Lot Utilization**




Based on the peak usage of 201 spaces and the total office and production area of 92,612 square feet at the existing facility, the actual parking ratio at peak times for the existing facility calculates to **1 space per 460 square feet of total office and production area.**



Attachment: Attachment D - APR-2007-AR-11611 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

**New Naples Daily News Headquarters – Immokalee Road Location**

Based on information provided by the Naples Daily News, the proposed Naples Daily News headquarters on Immokalee Road will operate with the following site conditions:

**Figure 3: New Site Conditions**

| NEW HEADQUARTERS - IMMOKALEE ROAD | | |
|---|---|---|
| | **Building Square Feet** | **Peak Shift** |
| Office Area | 79,214 s.f. (44.2%) | 156 employees |
| Production Area | 79,743 s.f. (44.4%) | 18 employees |
| Storage Area | 20,541 s.f. (11.4%) | 0 employees |
| Public / Visitors | *Not Applicable* | 15 visitors |
| **TOTAL** | **179,498 s.f.** | **189 total** |

The Naples Daily News BPPUD does not contain specific parking standards, so the requirements of the LDC apply. Based on parking requirements of LDC Section 4.05.04.G., the requirement for the new building is calculated as follows:

**Figure 4: Collier County LDC Requirements for New Site**

| NEW HEADQUARTERS – IMMOKALEE ROAD | | |
|---|---|---|
| **Building Area** | **Parking Standard** | **Required Parking Spaces** |
| 79,214 s.f. Office Area | 1 space per 275 s.f. | 288 |
| 79,743 s.f. Production Area | 1 space per 500 s.f. | 160 |
| 0 s.f. Public / Visitors | *None* | 0 |
| **158,957 s.f. Subtotal** | * | **448 Subtotal** |
| 20,541 s.f. Storage Area | 1 space per 1,000 s.f. | 21 |
| **179,498 s.f. Total** | ** | **469 Total** |
| *The ratio of the total required parking for the gross office and production area is 1 space per 355 s.f. ** The ratio of total required parking for the gross office, production and storage area is 1 space per 383 s.f. | | |

The total requirement of 469 parking spaces for this site far exceeds anticipated usage. The Naples Daily News indicates that the new headquarters is designed to accommodate activities and employees of the existing facility in more spacious conditions with additional storage. To reduce this parking requirement, the new facility is proposed to conform to the actual parking ratio at the existing facility of **1 space per 460 square feet of office and production area.** Storage areas are not included in the parking



Attachment: Attachment D - APR-2007-AR-11611 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

requirement, because storage is not an activity that generates vehicle trips above and beyond the employee and visitor parking generated by the office and production area. With 158,957 s.f. of office and production area proposed in the new building, this calculates to a total requirement of **346 parking spaces**. This number of spaces is considered more than adequate for the following reasons:

1. Documented usage of parking at the existing Naples Daily News averages 75%, and peaks at 83%, of the full Code requirement.

2. The new facility is designed to accommodate the same activities and employees in more spacious conditions. Therefore, additional square footage in the new headquarters will not yield a proportionate increase in parking needs. Since the ratio is being applied proportionately, the parking provision should be more than adequate.

   In addition to the parking study provided, the following factors also support such a reduction in the requirement:

3. The new headquarters is located along the Collier Area Transit (CAT) Red route, which allows an alternative transportation method for employees and visitors. The North Collier Hospital bus stop is only ½ –mile from the Naples Daily News site. (See attached Exhibit B for the CAT Route Map.)

4. The site borders the boundary for Activity Center #2 as identified in the Growth Management Plan. The Activity Center #2 map is attached as Exhibit C. Proximity of residential units within ½-mile and 1-mile radius walking and biking distance from the site is shown on the attached Vicinity Map, Exhibit D.

5. If necessary, parking problems can be addressed by the management of the Naples Daily News incentivizing and enforcing employee car pooling.



Attachment: Attachment D - APR-2007-AR-11611 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

# EXHIBIT A

## Parking Lot Utilization Data

*Naples Daily News*
*Justification for Parking Reduction*

Attachment: Attachment D - APR-2007-AR-11611 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

DATE 3/20/07

| | Cars Parked | Large Trucks Parked | Total |
|---|---|---|---|
| 8:00 a.m. | 90 | 14 | 104 |
| 10:00 a.m. | 167 | 11 | 178 |
| 2:00 p.m. | 177 | 11 | 188 |
| 4:00 p.m. | 191 | 10 | 201 |
| 6:00 p.m. | 79 | 11 | 90 |

DATE 3/22/07

| | Cars Parked | Large Trucks Parked | Total |
|---|---|---|---|
| 8:00 a.m. | 71 | 14 | 85 |
| 10:00 a.m. | 170 | 11 | 181 |
| 2:00 p.m. | 172 | 13 | 185 |
| 4:00 p.m. | 189 | 12 | 201 |
| 6:00 p.m. | 102 | 10 | 112 |

DATE 3/21/07

| | Cars Parked | Large Trucks Parked | Total |
|---|---|---|---|
| 8:00 a.m. | 84 | 16 | 100 |
| 10:00 a.m. | 187 | 14 | 201 |
| 2:00 p.m. | 160 | 12 | 172 |
| 4:00 p.m. | 178 | 10 | 188 |
| 6:00 p.m. | 67 | 11 | 78 |

DATE 3/23/07

| | Cars Parked | Large Trucks Parked | Total |
|---|---|---|---|
| 8:00 a.m. | 81 | 15 | 96 |
| 10:00 a.m. | 170 | 12 | 182 |
| 2:00 p.m. | 166 | 13 | 179 |
| 4:00 p.m. | 178 | 14 | 192 |
| 6:00 p.m. | 95 | 13 | 108 |

*Naples Daily News*
*Justification for Parking Reduction*

Attachment: Attachment D - APR-2007-AR-11611 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

DATE 3/26/07

| | Cars Parked | Large Trucks Parked | Total |
|---|---|---|---|
| 8:00 a.m. | 64 | 11 | 75 |
| | | | |
| 10:00 a.m. | 161 | 11 | 172 |
| | | | |
| 2:00 p.m. | 162 | 10 | 172 |
| | | | |
| 4:00 p.m. | 170 | 11 | 181 |
| | | | |
| 6:00 p.m. | 86 | 10 | 96 |

*Naples Daily News*
*Justification for Parking Reduction*

Attachment: Attachment D - APR-2007-AR-11611 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

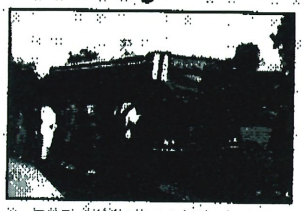
# EXHIBIT B

## Collier Area Transit
## Route Map



Attachment: Attachment D - APR-2007-AR-11611 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

**COLLIER AREA TRANSIT**



THE PURRRFECT RIDE
2901 County Barn Road • Naples, Florida 34112
239.690.7777

| SERVICE CATEGORY | FARE |
|---|---|
| Full Fare | $1.25 |
| Reduced Fare for Members of the Disabled Community, those 65 years & older & children under 17 | $0.60 |
| Children 5 years of age & younger | FREE |
| Full Fare Token | $1.25 |
| Reduced Fare Token | $0.60 |
| Transfers | FREE |
| Day Passes Full Fare | $4.00 |
| Day Passes Reduced Fare | $2.00 |
| Monthly Pass Full Fare | $35.00 |
| Monthly Pass Reduced Fare | $17.50 |
| Marco Express Full Fare | $3.00 |
| Marco Express Reduced Fare for Members of the Disabled Community, those 65 years & older & children under 17 | $1.50 |
| Marco Express Full Fare Monthly Bus Pass | $70.00 |
| Marco Express Reduced Fare Monthly Bus Pass for Members of the Disabled Community, those 65 years & older & children under 17 | $35.00 |

Effective: January 2007

**HOW TO RIDE**

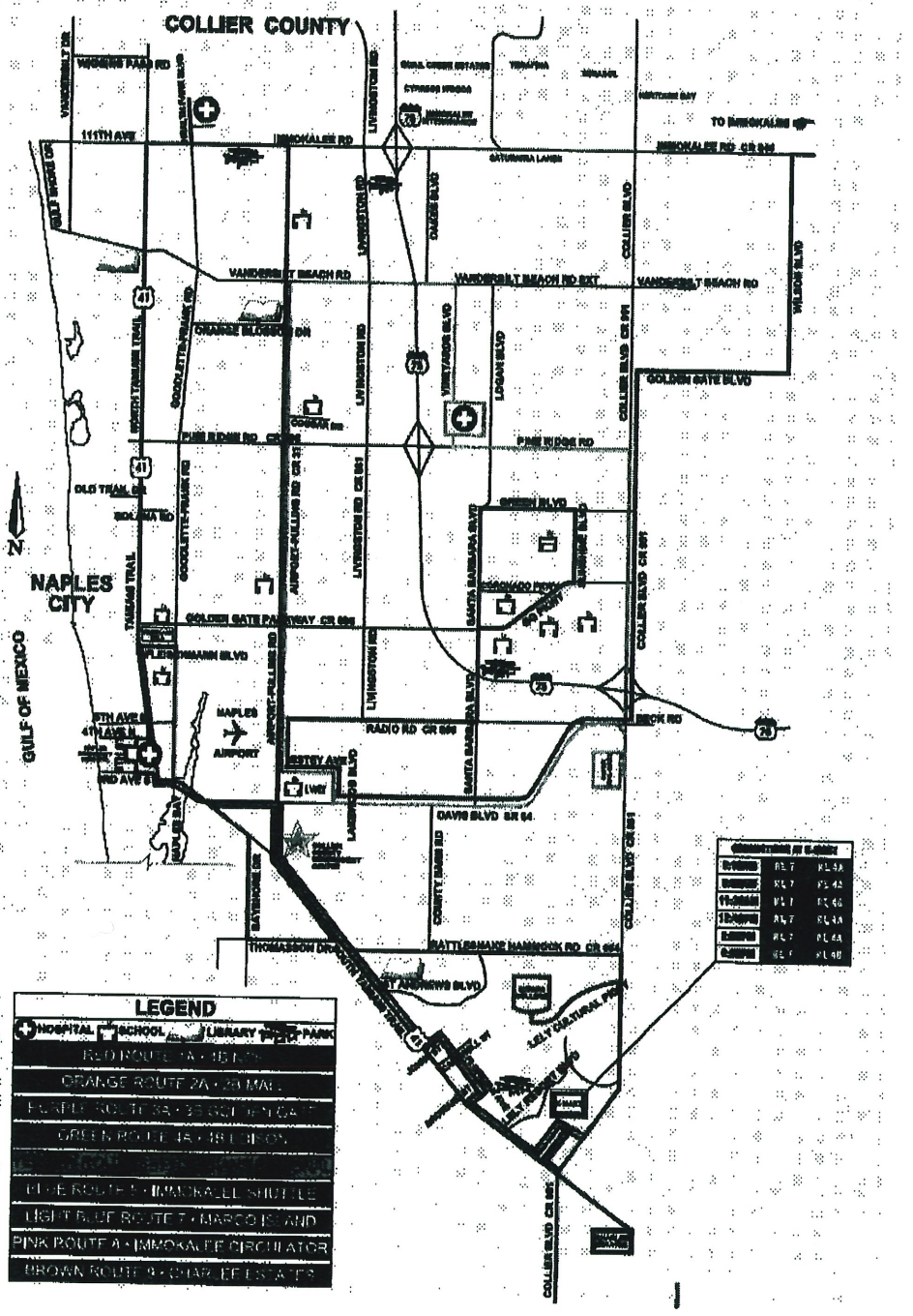
Please have your pass, ticket or exact fare ready. Sorry, drivers can not make change. Show driver the pass, ticket or pay the correct fare and sign.

Note, Collier Area Transit is unable to transport large items such as surfboards, large sea urs or anything else that would block the vehicle's aisles. Complete aisles are required. Bicycles may be transported using bike racks located at the front of each vehicle. Pets are not allowed, except for trained/registered animals. Smoking, eating, drinking, the loud playing of radios and recorders and washing of motorbikes is prohibited.

The bus will stop at all posted bus stops. Please arrive early at the stop and signal the driver by raising your hand.

Hours of operation are generally from 6 a.m. to 7 p.m., and check route maps for added times. Collier Area Transit does not operate on New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day and Christmas Day.

cat COLLIER AREA TRANSIT



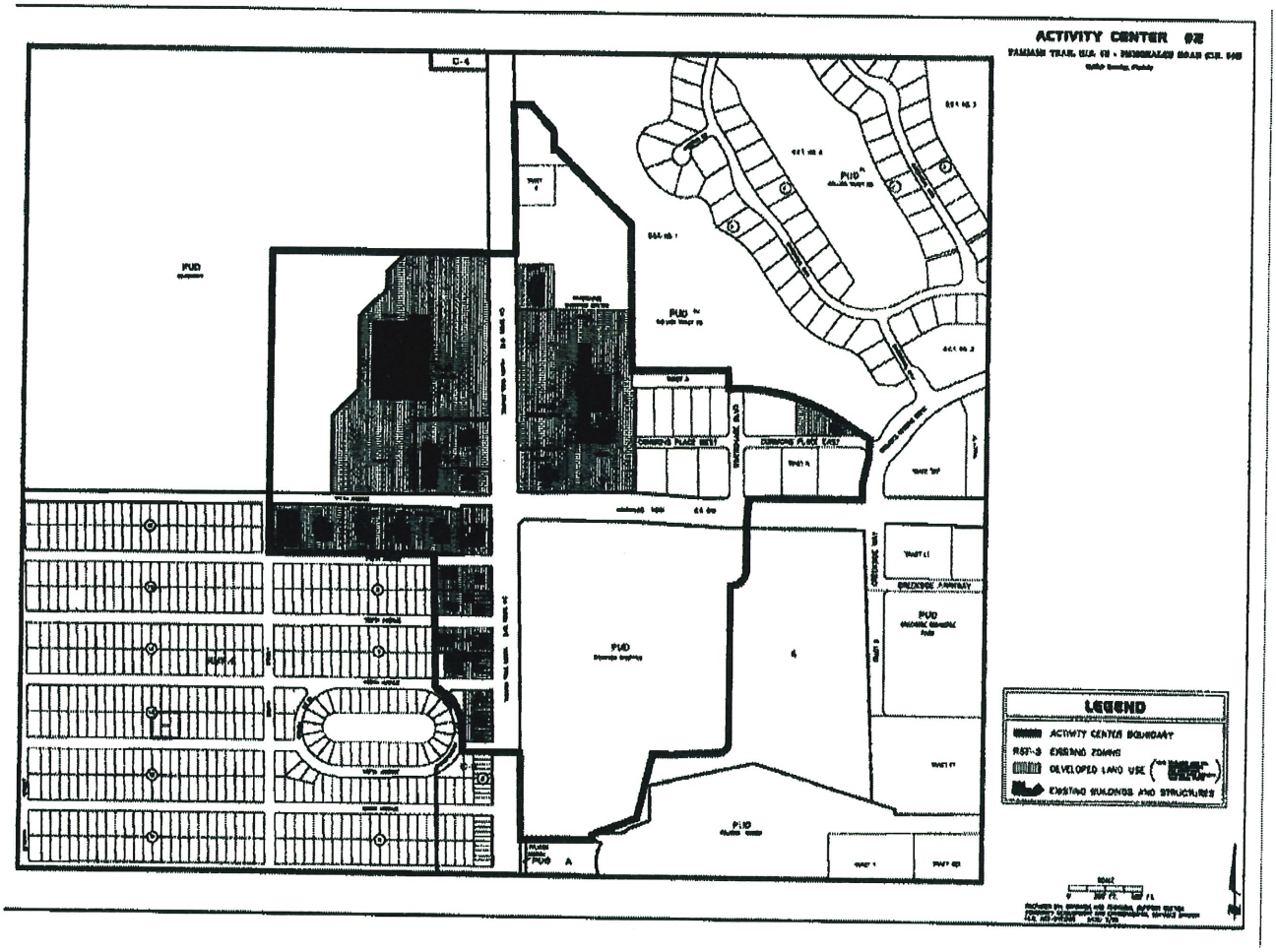

*Naples Daily News*
*Justification for Parking Reduction*

Attachment: Attachment D - APR-2007-AR-11611 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

# EXHIBIT C

## Activity Center #2 Map

Attachment: Attachment D - APR-2007-AR-11611 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)




*Naples Daily News*
*Justification for Parking Reduction*

Attachment: Attachment D - APR-2007-AR-11611 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

# EXHIBIT D

## Vicinity Map

Attachment: Attachment D - APR-2007-AR-11611 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)




J:\20086327\exhibits\vicinity map.dwg (Sheet1) ark Apr 05, 2007 - 11:36am

JOHNSON ENGINEERING

2350 STANFORD COURT
NAPLES, FLORIDA 34112
PHONE (239) 434-0333
FAX (239) 434-9320
E.B. #642 & L.B. #642

NAPLES DAILY NEWS
VICINITY MAP

| DATE | PROJECT NO. | FILE NO. | SCALE | SHEET |
|---|---|---|---|---|
| APR 2007 | 20055571 | | 1" = 2000' | 1 OF 1 |

Attachment: Attachment D - APR-2007-AR-11611 (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

Collier County

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

# Comparable Use Determination

LDC sections 2.03.00 A, 10.02.06 J & Code of Laws section 2-83 – 2-90
Chapter 3 G.6 of the Administrative Code

**PROJECT NUMBER**
**PROJECT NAME**
**DATE PROCESSED**

*To be completed by staff*

☑ **PUD Zoning District**
☐ **Standard Zoning District**

## APPLICANT CONTACT INFORMATION

**Name of Property Owner(s):** NCH Healthcare System, Inc./Jack Ullrich

**Name of Applicant if different than owner:** _____

**Address:** 350 7th Street North **City:** Naples **State:** FL **ZIP:** 34102

**Telephone:** 239-624-2854 **Cell:** N/A **Fax:** N/A

**E-Mail Address:** jack.ullrich@nchmd.org

**Name of Agent(s):** Paula N. C. McMichael, AICP

**Firm:** Hole Montes, Inc.

**Address:** 950 Encore Way **City:** Naples **State:** FL **ZIP:** 34110

**Telephone:** 239-254-2000 **Cell:** N/A **Fax:** 239-254-2099

**E-Mail Address:** paulamcmichael@hmeng.com

## PROPERTY INFORMATION

**Site Address:** 1100 Immokalee Road **Folio Number:** 00168040601

**Property Owners Name:** NCH Healthcare System, Inc.

## DETERMINATION REQUEST

The determination request and justification for the use must be done by a certified land use planner or a land use attorney. Provide the completed request on a separate attached sheet. Please be very specific and include the SIC Code, if known. The request should adhere to the following format:

*"I request a determination from the Planning Manager and approval from the Office of the Hearing Examiner, that the use of* General Office *is comparable and compatible with the permitted uses in the* BP *PUD or in the* _____ *Straight Zoning District."*



Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

Collier County

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

## SUBMITTAL REQUIREMENTS CHECKLIST

See Chapter 3 G.6 of the Administrative Code for submittal requirements. The following items are to be submitted with the application packet. **Incomplete submittals will not be accepted.**

| REQUIREMENTS FOR REVIEW | # OF COPIES | REQUIRED | NOT REQUIRED |
|---|---|---|---|
| Completed Application (download current form from County website) | 1 | ☒ | |
| Affidavit of Authorization | 1 | ☒ | |
| Completed Addressing Checklist | 1 | ☒ | |
| Determination request and the justification for the use | 1 | ☒ | |
| PUD Ordinance and Development Commitment information | | ☐ | ✓ |
| Property Ownership Disclosure Form | 1 | ☒ | |
| Electronic Copies of all documents<br>*Please be advised: The Office of the Hearing Examiner requires all materials to be submitted electronically in PDF format. | 1 | ✓ | ☐ |

**ADDITIONAL REQUIREMENTS FOR THE PUBLIC HEARING PROCESS:**

- Following the completion of the review process by County review staff, the applicant shall submit all materials electronically to the designated project manager.
- Please contact the project manager to confirm the number of additional copies required.

**FEE REQUIREMENTS:**

☒ **Application:** $1,000.00; Additional Fees of $100 per hour will be charged as needed upon completion of review and research. Payment of Additional Fees will be required prior to the release of the verification.

☒ **Estimated Legal Advertising Fee for the Office of the Hearing Examiner:** $1,125.00

*All checks payable to: Board of County Commissioners*

The completed application, all required submittal materials, and the permit fee shall be submitted to:

Growth Management Department/Zoning Division
ATTN: Business Center
2800 North Horseshoe Drive
Naples, FL 34104

Applicant Signature

1-27-2021
Date

Paula N. C. McMichael, AICP
Printed Name

*Please be advised that the zoning letter is based upon the available records furnished by Collier County and what was visible and accessible at the time of inspection. This report is based on the Land Development Code that is in effect on the date the report was prepared. Code regulations could be subject to change. While every attempt has been made to ensure the accuracy or completeness, and each subscriber to or user of this report understands that this department disclaims any liability for any damages in connection with its use. In addition, this department assumes no responsibility for the cost of correcting any unreported conditions.*



Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

# AFFIDAVIT OF AUTHORIZATION

**FOR PETITION NUMBERS(S)** _____

I, PHILLIP DUTCHER (print name), as COO (title, if applicable) of NCH Healthcare System, Inc. (company, if applicable), swear or affirm under oath, that I am the (choose one) owner [✓] applicant [ ] contract purchaser [ ] and that:

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the County in accordance with this application and the Land Development Code;
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I have authorized the staff of Collier County to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made through this application; and that
4. The property will be transferred, conveyed, sold or subdivided subject to the conditions and restrictions imposed by the approved action.
5. We/I authorize Paula N. C. McMichael, AICP to act as our/my representative in any matters regarding this petition including 1 through 2 above.

*Notes:*

- *If the applicant is a corporation, then it is usually executed by the corp. pres. or v. pres.*
- *If the applicant is a Limited Liability Company (L.L.C.) or Limited Company (L.C.), then the documents should typically be signed by the Company's "Managing Member."*
- *If the applicant is a partnership, then typically a partner can sign on behalf of the partnership.*
- *If the applicant is a limited partnership, then the general partner must sign and be identified as the "general partner" of the named partnership.*
- *If the applicant is a trust, then they must include the trustee's name and the words "as trustee".*
- *In each instance, first determine the applicant's status, e.g., individual, corporate, trust, partnership, and then use the appropriate format for that ownership.*

**Under penalties of perjury, I declare that I have read the foregoing Affidavit of Authorization and that the facts stated in it are true.**

Phillip C. Dutcher
**Signature**

Phillip Dutcher, COO

1/6/2021
**Date**

**STATE OF FLORIDA**
**COUNTY OF COLLIER**

The foregoing instrument was acknowleged before me by means of [✓] physical presence or [ ] online notarization this 6th day of January, 2021, by (printed name of owner or qualifier) Phillip O. Dutcher.

Such person(s) Notary Public must check applicable box:

[✓] Are personally known to me

[ ] Has produced a current drivers license _____

[ ] Has produced _____ as identification.

Notary Signature: Elizabeth Martin

Notary Seal

ELIZABETH MARTIN
MY COMMISSION # GG 231390
EXPIRES: October 21, 2022
Bonded Thru Notary Public Underwriters

CP\08-COA-00115\155
REV 3/4/2020

Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

## PROPERTY OWNERSHIP DISCLOSURE FORM

**This is a required form with all land use petitions, except for Appeals and Zoning Verification Letters.**

Should any changes of ownership or changes in contracts for purchase occur subsequent to the date of application, but prior to the date of the final public hearing, it is the responsibility of the applicant, or agent on his behalf, to submit a supplemental disclosure of interest form.

**Please complete the following, use additional sheets if necessary.**

a. If the property is owned fee simple by an INDIVIDUAL, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest:

| Name and Address | % of Ownership |
|---|---|
| | |
| | |
| | |
| | |
| | |

b. If the property is owned by a CORPORATION, list the officers and stockholders and the percentage of stock owned by each:

| Name and Address | % of Ownership |
|---|---|
| NCH Healthcare System, Inc. | |
| 350 7th Street North, Naples, FL 34102 | |
| (not-for-profit organization - no stockholders or | |
| individual ownership interests) | |
| | |

c. If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with the percentage of interest:

| Name and Address | % of Ownership |
|---|---|
| | |
| | |
| | |
| | |
| | |



Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

d. If the property is in the name of a GENERAL or LIMITED PARTNERSHIP, list the name of the general and/or limited partners:

| Name and Address | % of Ownership |
|---|---|
| | |
| | |
| | |
| | |

e. If there is a CONTRACT FOR PURCHASE, with an individual or individuals, a Corporation, Trustee, or a Partnership, list the names of the contract purchasers below, including the officers, stockholders, beneficiaries, or partners:

| Name and Address | % of Ownership |
|---|---|
| | |
| | |
| | |
| | |
| | |

**Date of Contract:** _____

f. If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust:

| Name and Address |
|---|
| |
| |
| |
| |
| |

g. Date subject property acquired _____

☐ **Leased: Term of lease _____ years /months**

If, Petitioner has option to buy, indicate the following:



Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

**Date of option:** _____

**Date option terminates:** _____, or

**Anticipated closing date:** _____

## AFFIRM PROPERTY OWNERSHIP INFORMATION

**Any petition required to have Property Ownership Disclosure, will not be accepted without this form. Requirements for petition types are located on the associated application form. Any change in ownership whether individually or with a Trustee, Company or other interest-holding party, must be disclosed to Collier County immediately if such change occurs prior to the petition's final public hearing.**

As the authorized agent/applicant for this petition, I attest that all of the information indicated on this checklist is included in this submittal package. I understand that failure to include all necessary submittal information may result in the delay of processing this petition.

The completed application, all required submittal materials, and fees shall be submitted to:
Growth Management Department
ATTN: Business Center
2800 North Horseshoe Drive
Naples, FL 34104

Agent/Owner Signature

1-27-2021
Date

Paula N. C. McMichael, AICP
Agent/Owner Name (please print)



Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX (239) 252-5724

# ADDRESSING CHECKLIST

Please complete the following and email to GMD_Addressing@colliergov.net or fax to the Operations Division at 239-252-5724 or submit in person to the Addressing Section at the above address. Form must be signed by Addressing personnel prior to pre-application meeting, please allow 3 days for processing.

Not all items will apply to every project. Items in **bold type** are required. **FOLIO NUMBERS MUST BE PROVIDED.** Forms older than 6 months will require additional review and approval by the Addressing Section.

PETITION TYPE *(Indicate type below, complete a separate Addressing Checklist for each Petition type)*

- ☐ BL (Blasting Permit)
- ☐ BD (Boat Dock Extension)
- ☐ Carnival/Circus Permit
- ☐ CU (Conditional Use)
- ☐ EXP (Excavation Permit)
- ☐ FP (Final Plat
- ☐ LLA (Lot Line Adjustment)
- ☐ PNC (Project Name Change)
- ☐ PPL (Plans & Plat Review)
- ☐ PSP (Preliminary Subdivision Plat)
- ☐ PUD Rezone
- ☐ RZ (Standard Rezone)
- ☐ SDP (Site Development Plan)
- ☐ SDPA (SDP Amendment)
- ☐ SDPI (Insubstantial Change to SDP)
- ☐ SIP (Site Improvement Plan)
- ☐ SIPI (Insubstantial Change to SIP)
- ☐ SNR (Street Name Change)
- ☐ SNC (Street Name Change – Unplatted)
- ☐ TDR (Transfer of Development Rights)
- ☐ VA (Variance)
- ☐ VRP (Vegetation Removal Permit)
- ☐ VRSFP (Vegetation Removal & Site Fill Permit)
- ☒ OTHER Comparable Use Determination

**LEGAL DESCRIPTION** of subject property or properties *(copy of lengthy description may be attached)*

Section 27, Township 48S, Range 25E See attached.

**FOLIO (Property ID) NUMBER(s)** of above *(attach to, or associate with, legal description if more than one)*

00168040601

STREET ADDRESS or ADDRESSES *(as applicable, if already assigned)*

1100 Immokalee Road, Naples, FL 34108

- **LOCATION MAP** must be attached showing exact location of project/site in relation to nearest public road right-of-way
- SURVEY (copy - needed only for unplatted properties)

CURRENT PROJECT NAME *(if applicable)*

PROPOSED PROJECT NAME *(if applicable)*

PROPOSED STREET NAMES *(if applicable)*

SITE DEVELOPMENT PLAN NUMBER *(for existing projects/sites only)*

SDP___-____ or AR or PL # SDP- 2007-AR-11770



Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

Collier County

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX (239) 252-5724

Project or development names proposed for, or already appearing in, condominium documents (if application; indicate whether proposed or existing)

Please Return Approved Checklist By: ☒ Email ☐ Fax ☐ Personally picked up

Applicant Name: Paula McMichael, AICP/Stephanie Karol, Permitting Coordinator/Hole Montes, Inc.

Phone: 239-254-2018 Email/Fax: stephaniekarol@hmeng.com

Signature on Addressing Checklist does not constitute Project and/or Street Name approval and is subject to further review by the Operations Division.

FOR STAFF USE ONLY

Folio Number 168040601

Folio Number _____

Folio Number _____

Folio Number _____

Folio Number _____

Folio Number _____

Approved by: Sheila D. Date: 12/28/2020

Updated by: _____ Date: _____

IF OLDER THAN 6 MONTHS, FORM MUST BE UPDATED OR NEW FORM SUBMITTED



Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

# NAPLES DAILY NEWS BPPUD
# COMPARABLE USE DETERMINATION
# NARRATIVE AND JUSTIFICATION

## Background

The Naples Daily News BPPUD (approved by Ordinance 2006-49) is located on the south side of Immokalee Road, approximately a quarter mile east of the intersection of Immokalee Road and US 41, in Section 27, Township 48 South, Range 25 East, Collier County, Florida. The Naples Daily News BPPUD is 35± acres and allows a range of industrial and light industrial uses, administrative, and accessory uses such as administrative offices and warehousing. Naples Community Hospital (NCH) has purchased the building located in Parcel A (as depicted on the BPPUD Master Plan) and will occupy it for professional office uses, such as accounting, billing, and scheduling; and warehousing of medical equipment.

## Request

The applicant is requesting a determination from staff, and a finding from the Hearing Examiner, that the use of Hospital Administration and Allied Services – limited to business offices, management, accounting, records retention, and blood bank is comparable and compatible with permitted uses in the Naples Daily News BPPUD.

## Naples Daily News BPPUD Permitted Uses

The BPPUD allows the following primary and accessory uses identified under BPPUD Section III, Business Park "BP", below:

**A. Permitted primary uses (Parcel A).**

1. Communications (groups 4812-4899, including only rooftop or ground mounted communication towers and subject to Section 5.05.09 of the LDC.)
2. Motion picture production (groups 7812-7819)
3. Printing, publishing and allied industries (groups 2711-2796)
4. Publishing, telecommunications, motion picture and video, broadcasting, internet publishing industries and other information services.
5. Advertising and direct mailers and photography, including mailing distribution, collation, insertion of products in newspaper, non-newspaper products and containers and outside publications.
6. Information management and software.
7. Independent artists, writers and performers.
8. Printing and business support services.
9. Newsdealers and newsstands.
10. All forms of multi-media uses including but not limited to publishing, marketing, distributing, broadcasting, film production, software, internet, intranet video, communication and information technologies and mediums now existing or subsequently created, adapter or discovered; it being the intent that such future technologies and mediums be deemed "Permitted Uses".
11. Any other use which is comparable in nature with the foreign list of permitted principal uses, as determined by the Board of Zoning Appeals (BZA).





Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

C. **Uses accessory to permitted uses:**
   1. Uses and structures that are accessory and incidental to uses permitted as of right in the BPPUD, including but not limited to storage, warehousing, distribution of paper, ink, printing chemicals, aluminum and other plates, and other materials and products used or useful in connection with permitted uses.
   2. Caretaker's residence, subject to Section 5.03.05 of the LDC.
   3. Eating places, including coffee shops. No alcoholic beverage sales shall be permitted.
   4. For business park uses, retail sales and/or display areas as accessory to the principal use shall not exceed an area greater than 20 percent of the gross floor area of the permitted principal uses and is further subject to retail standards for landscaping, parking and open space.

D. Other comparable uses not specified as deemed appropriate by the Board of Zoning Appeals.

Although the BPPUD does not explicitly allow commercial, professional, or general office uses, the following permitted uses are similar in nature and permitted in the BPPUD:

- Communications (specifically SIC 4822);
- Motion picture production (specifically SIC 7819);
- Information management and software; and
- Printing and business support services.

Communications (SIC 4822) primarily engages in furnishing nonvocal message communications, such as e-mail and facsimile transmission services. Motion picture production (SIC 7819) is described as "services allied to motion picture production" by the United States Department of Labor, and includes establishments engaged in performing services such as motion picture film processing, editing, and titling.

Additionally, most of the permitted principal uses would include an administrative office component to support the principal use – for instance, publishing or advertising requires administrative office space for business operations, public relations, and management, as well as accounting and billing, equivalent to what is being proposed by NCH.

The warehousing component is already a permitted accessory use.

The property is designated Urban Mixed Use District, Urban Residential Subdistrict on the Future Land Use Map (FLUM), and was developed per the Business Park Subdistrict. The Urban Mixed Use District is intended to accommodate a variety of residential and non-residential land uses; as well as certain industrial and commercial uses.

The Business Park Subdistrict is intended to provide for a mix of industrial and non-industrial uses. Non-industrial uses may include uses such as certain **offices**, financial institutions, retail services, institutional, cultural facilities, medical facilities, hotels/motels, and recreational facilities (underline/**bold** for emphasis).

The requested use is a general office use, similar to those already allowed by the PUD and consistent with the intent of the Business Park Subdistrict.



Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

## Surrounding Land Uses

Property to the north, across Immokalee Road, is developed with banks and office space. To the south, across Creekside Blvd., there is parking for Arthrex and a golf course. To the east and west, there is commercial development. The proposed use is compatible with and complementary to the surrounding area and will not result in an increase of the effects of noise, odor, and glare on neighboring properties. The proposed use is a less intensive commercial use and compatible with adjacent residential development and can be found in commercial shopping plazas throughout Collier County.

## Traffic Analysis

The proposed uses generate fewer trips when compared to the existing development conditions. Please see the tables below for further details and the traffic analysis provided with this request.

**Trip Generation* (Proposed Conditions) – Average Weekday**

| ITE Land Use | Size | AM Peak Hour | | | PM Peak Hour | | |
|---|---|---|---|---|---|---|---|
| | | Enter | Exit | Total | Enter | Exit | Total |
| 710 General Office | 77,563 SF | 85 | 14 | 99 | 14 | 75 | 89 |
| 150 Warehousing | 108,940 SF | 29 | 9 | 38 | 11 | 30 | 41 |
| Total | 186,503 SF | 114 | 23 | 137 | 25 | 105 | 130 |

*ITE Trip Generation Manual 10th Edition

**Trip Generation* (Existing Conditions) – Average Weekday**

| ITE Land Use | Size | AM Peak Hour | | | PM Peak Hour | | |
|---|---|---|---|---|---|---|---|
| | | Enter | Exit | Total | Enter | Exit | Total |
| 710 General Office | 77,563 SF | 85 | 14 | 99 | 14 | 75 | 89 |
| 140 Manufacturing | 68,874 SF | 33 | 10 | 43 | 14 | 32 | 46 |
| 150 Warehousing | 40,066 SF | 23 | 7 | 30 | 37 | 131 | 168 |
| Total | 186,503 SF | 141 | 31 | 172 | 37 | 131 | 168 |

*ITE Trip Generation Manual 10th Edition

**Trip Generation* (Net New Traffic) – Average Weekday**

| | Size | AM Peak Hour | | | PM Peak Hour | | |
|---|---|---|---|---|---|---|---|
| | | Enter | Exit | Total | Enter | Exit | Total |
| Proposed Conditions | 186,503 SF | 114 | 23 | 137 | 25 | 105 | 130 |
| Existing Conditions | 186,503 SF | 141 | 31 | 172 | 37 | 131 | 168 |
| Net New Traffic** | | (27) | (8) | (35) | (12) | (26) | (38) |

*ITE Trip Generation Manual 10th Edition

**Number in parenthesis is a net reduction in traffic.

Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

**Criteria per LDC Sec. 10.02.06 K.**

On November 10, 2020, the Board of County Commissioners approved amendments to the LDC to revise and clarify the procedures and approvals process for Comparable Use Determinations (CUD). The analysis above demonstrates compliance with the revised CUD standards below:

K. Comparable Use Determination.

2. To be effective, the Comparable Use Determination shall be approved by the Hearing Examiner by decision or CCPC by resolution, at an advertised public hearing based on the following standards, as applicable:

a. The proposed use possesses similar characteristics to other permitted uses in the zoning district, overlay, or PUD, including but not limited to the following:
   i. Operating Hours;
   ii. Traffic volume generated/attracted;
   iii. Type of vehicles associated with the use;
   iv. Number and type of required parking spaces; and
   v. Business practices and activities.

***The proposed uses have similar operating hours, generate a lower volume of traffic as demonstrated by the traffic analysis, have similar types of vehicles, similar required parking, and similar business practices and activities as other permitted uses in the BPPUD.***

***The existing use was approved in conjunction with an Administrative Parking Reduction, APR-2007-AR-11611, which served to reduce the quantity of parking spaces on the subject property from the LDC requirement of 469 to 346. According to the approved SDP plans, 350 parking spaces are provided. The proposed use has required parking of 367 spaces (one per 300 SF of office, one per 1,000 SF of storage). The applicant is requesting approval of a new Administrative Parking Reduction, filed concurrently with this application.***

b. The effect of the proposed use would have on neighboring properties in relation to the noise, glare, or odor effects shall be no greater than that of other permitted uses in the zoning district, overlay, or PUD.

***The proposed uses will not result in an increase of noise, glare, or odor when compared to other permitted uses in the BPPUD and the new use of the building will not include manufacturing (the printing press).***

c. The proposed use is consistent with the GMP, meaning the applicable future land use designation does not specifically prohibit the proposed use, and, where the future land designation contains a specific list of allowable uses, the proposed use is not omitted.



Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

***The proposed uses are consistent with the Urban Residential Subdistrict and are among the allowable uses listed in the Business Park Subdistrict.***

d. The proposed use shall be compatible and consistent with the other permitted uses in the zoning district, overlay, or PUD.

***The proposed uses are compatible and consistent with the other permitted uses in the BPPUD.***

e. Any additional relevant information as may be required by the County Manager or Designee.

***To be determined.***

**Conclusion**

Based on the analysis above, this use should be determined to be comparable and compatible with existing permitted uses within the Naples Daily News BPPUD. It possesses similar characteristics to other permitted uses in the BPPUD; is compatible with adjacent and surrounding uses; and is consistent with the listed allowable uses in the GMP.

Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)




# Traffic Impact Analysis

## Naples Community Hospital
## Naples Daily News Site
## Comparable Use Determination

**Collier County, FL**
**12/18/2020**

Prepared for:
Hole Montes
950 Encore Way
Naples, FL 34110
Phone: 239.254.2000

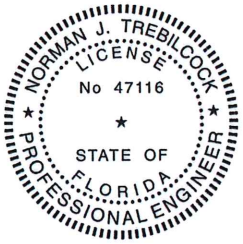
Prepared by:
Trebilcock Consulting Solutions, PA
2800 Davis Boulevard, Suite 200
Naples, FL 34104
Phone: 239.566.9551
Email: ntrebilcock@trebilcock.biz

Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

# Statement of Certification

I certify that this Traffic Impact Analysis has been prepared by me or under my immediate supervision and that I have experience and training in the field of Traffic and Transportation Engineering.

This item has been electronically signed and sealed by Norman J. Trebilcock, P.E., State of Florida license 47116, using a *SHA-1* authentication code. Printed copies of this document are not considered signed and sealed, and the *SHA-1* authentication code must be verified on any electronic copies.




Digitally signed by Norman Trebilcock
DN: c=US, st=Florida, l=Naples, o=Norman Trebilcock, cn=Norman Trebilcock, email=ntrebilcock@trebilcock.biz
Date: 2020.12.18 17:14:51 -05'00'

Norman J. Trebilcock, AICP, PTOE, PE
FL Registration No. 47116
Trebilcock Consulting Solutions, PA
2800 Davis Boulevard, Suite 200
Naples, FL 34104
Company Cert. of Auth. No. 27796

Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

# Table of Contents

Project Description ..... 4

Trip Generation ..... 6

Conclusion ..... 7

Appendices

Appendix A: Site Aerial ..... 8

Appendix B: ITE Trip Generation Manual Calculations ..... 10

Appendix C: ITE Land Use Descriptions ..... 16

Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

# Project Description

Naples Community Hospital wishes to occupy the Naples Daily News site (Subject Property) in order to move functions currently housed at their central campus such as accounting, billing, administrative offices, and warehousing of medical equipment.

The Subject Property is located at 1100 Immokalee Road and is identified by the Collier County Property Appraiser by parcel number 00168040601. This parcel comprises approximately 19.85 acres per the property appraiser and includes stormwater management and preserve areas on the south side of Creekside Boulevard. The developable portion of the Subject Property, north of Creekside Boulevard, is approximately 18.01 acres. This parcel is located in Section 27, Township 48, Range 25 east in Collier County, Florida.

The Subject Property is improved with a building (approximately 112,398 square foot building footprint), pavement, parking lots, stormwater management and preserve areas. The Subject Property is zoned Business Park Planned Unit Development (BPPUD).

The applicant is requesting a Comparable Use Determination (CUD) to allow for the proposed uses.

Refer to **Figure 1 – Project Location Map** and **Appendix A: Site Aerial**.

**Figure 1 – Project Location Map**






Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

A Site Development Plan (SDP) for the construction of the current building was approved in 2008 (SDP-2007-AR-11770). The SDP included only the developable portion of the Subject Property, north of Creekside Boulevard. The site summary breakdown is shown in **Table 1, Site Summary**, and the building area by use is shown in **Table 2, Building Area by Use**.

**Table 1**
**Site Summary**

| | Area | % of Total Area |
|---|---|---|
| **Total Building Footprint** | 112,398 SF | 14.3 |
| **Total Impervious Area (pavement/walks/driveways)** | 222,479 SF | 28.4 |
| **Total Lake Area** | 89,298 SF | 11.4 |
| **Total Landscape/Open Space (Pervious Area)** | 360,545 SF | 45.9 |
| **Total Site Area (18.01 acres)** | 784,720 SF | 100 |

**Table 2**
**Building Area by Use**

| Description/Use | 1st Floor | 2nd Floor | 3rd Floor | Total | % of Total Floor Area |
|---|---|---|---|---|---|
| **Assembly** | 6,180 SF | 1,161 SF | 0 | 7,341 SF | 3.94 |
| **Business** | 31,094 SF | 39,128 SF | 0 | 70,222 SF | 37.65 |
| **Factory** | 55,059 SF | 13,815 SF | 0 | 68,874 SF | 36.93 |
| **Storage** | 16,870 SF | 3,209 SF | 0 | 20,079 SF | 10.77 |
| **Mechanical** | 1,795 SF | 3,059 SF | 15,133 SF | 19,987 SF | 10.72 |
| **Total** | 110,998 SF | 60,372 SF | 15,133 SF | 186,503 SF | 100 |

An SDP Traffic Impact Statement dated August 14, 2007, included the following Institute of Transportation Engineers (ITE) Land Use Codes: Manufacturing (LUC 140); Warehousing (LUC 150) and General Office (LUC 710).

The proposed uses generally fall under the Institute of Transportation Engineers (ITE) Land Use Codes for General Office (LUC 710) and Warehousing (LUC 150). The proposed general office area includes the assembly and business use shown in **Table 2** (77,563 square feet). The proposed warehousing area includes the factory, storage and mechanical use shown in **Table 2** (108,940 square feet).

Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

# Trip Generation

The project provides the highest and best use scenario with respect to the project's proposed trip generation. The project's site trip generation is based on the Institute of Transportation Engineers (ITE) Trip Generation Manual, 10th Edition, and the software program OTISS (Online Traffic Impact Study Software, most current version). The ITE rates and equations are used for the trip generation calculations, as applicable. The ITE – OTISS trip generation calculation worksheets are provided in **Appendix B: ITE Trip Generation Manual Calculations**. The ITE Land Use Descriptions are provided in **Appendix C**.

**Internal capture** accounts for a reduction in external traffic because of the interaction between the multiple land uses in a site. Conservatively, no internal capture is considered for this study.

**Pass-by trips** account for traffic that is already on the external roadway network and stops at the project on the way to a primary trip destination. For this analysis, pass-by reductions have not been considered in accordance with Collier County and ITE guidelines.

The proposed development scenario trip generation is illustrated in **Table 3A**. The existing uses are shown in **Table 3B** and the areas of each use are based on values in **Table 2**. The net new traffic is shown in **Table 3C**. For the purpose of this report, the potential project's traffic impact is analyzed based on projected AM and PM peak hour total external traffic generated as a result of the proposed development.

**Table 3A**
**Trip Generation* (Proposed Conditions) – Average Weekday**

| ITE Land Use | Size | AM Peak Hour | | | PM Peak Hour | | |
|---|---|---|---|---|---|---|---|
| | | Enter | Exit | Total | Enter | Exit | Total |
| **710 General Office** | 77,563 Square Feet | 85 | 14 | 99 | 14 | 75 | 89 |
| **150 Warehousing** | 108,940 Square Feet | 29 | 9 | 38 | 11 | 30 | 41 |
| **Total** | 186,503 Square Feet | 114 | 23 | 137 | 25 | 105 | 130 |

Note(s): *ITE Trip Generation Manual 10th Edition

Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

**Table 3B**
**Trip Generation* (Existing Conditions) – Average Weekday**

| ITE Land Use | Size | AM Peak Hour | | | PM Peak Hour | | |
|---|---|---|---|---|---|---|---|
| | | Enter | Exit | Total | Enter | Exit | Total |
| **710 General Office** | 77,563 Square Feet | 85 | 14 | 99 | 14 | 75 | 89 |
| **140 Manufacturing** | 68,874 Square Feet | 33 | 10 | 43 | 14 | 32 | 46 |
| **150 Warehousing** | 40,066 Square Feet | 23 | 7 | 30 | 9 | 24 | 33 |
| **Total** | 186,503 Square Feet | 141 | 31 | 172 | 37 | 131 | 168 |

Note(s): *ITE Trip Generation Manual 10th Edition

**Table 3C**
**Trip Generation* (Net New Traffic) – Average Weekday**

| | Size | AM Peak Hour | | | PM Peak Hour | | |
|---|---|---|---|---|---|---|---|
| | | Enter | Exit | Total | Exit | Enter | Total |
| **Proposed Conditions** | 186,503 Square Feet | 114 | 23 | 137 | 25 | 105 | 130 |
| **Existing Conditions** | 186,503 Square Feet | 141 | 31 | 172 | 37 | 131 | 168 |
| **Net New Traffic**** | | (27) | (8) | (35) | (12) | (26) | (38) |

Note(s): *ITE Trip Generation Manual 10th Edition
** Number in parenthesis is a net reduction in traffic.

# Conclusion

As illustrated in **Table 3C**, from a traffic standpoint, the proposed development scenario is less intensive when compared to the existing development conditions.

It is our recommendation that the Naples Community Hospital proposed use be considered comparable to and less intensive than the existing use as identified within this report.

Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

# Appendix A:

# Site Aerial

Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)




Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

# Appendix B:

# ITE Trip Generation Manual Calculations

| Project Information | |
|---|---|
| Project Name: | NCH - Naples Daily News Site - Existing |
| No: | |
| Date: | 12/2/2020 |
| City: | |
| State/Province: | |
| Zip/Postal Code: | |
| Country: | |
| Client Name: | NCH |
| Analyst's Name: | DAD |
| Edition: | Trip Gen Manual, 10th Ed |

| Land Use | Size | Weekday | | AM Peak Hour | | PM Peak Hour | |
|---|---|---|---|---|---|---|---|
| | | Entry | Exit | Entry | Exit | Entry | Exit |
| 710 - General Office Building (General Urban/Suburban) | 77.56 1000 Sq. Ft. GFA | 415 | 414 | 85 | 14 | 14 | 75 |
| Reduction | | 0 | 0 | 0 | 0 | 0 | 0 |
| Internal | | 0 | 0 | 0 | 0 | 0 | 0 |
| Pass-by | | 0 | 0 | 0 | 0 | 0 | 0 |
| Non-pass-by | | 415 | 414 | 85 | 14 | 14 | 75 |
| 140 - Manufacturing (General Urban/Suburban) | 68.87 1000 Sq. Ft. GFA | 189 | 189 | 33 | 10 | 14 | 32 |
| Reduction | | 0 | 0 | 0 | 0 | 0 | 0 |
| Internal | | 0 | 0 | 0 | 0 | 0 | 0 |
| Pass-by | | 0 | 0 | 0 | 0 | 0 | 0 |
| Non-pass-by | | 189 | 189 | 33 | 10 | 14 | 32 |
| 150 - Warehousing (General Urban/Suburban) | 40.07 1000 Sq. Ft. GFA | 55 | 54 | 23 | 7 | 9 | 24 |
| Reduction | | 0 | 0 | 0 | 0 | 0 | 0 |
| Internal | | 0 | 0 | 0 | 0 | 0 | 0 |
| Pass-by | | 0 | 0 | 0 | 0 | 0 | 0 |
| Non-pass-by | | 55 | 54 | 23 | 7 | 9 | 24 |
| Total | | 659 | 657 | 141 | 31 | 37 | 131 |
| Total Reduction | | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Internal | | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Pass-by | | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Non-pass-by | | 659 | 657 | 141 | 31 | 37 | 131 |

Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

## PERIOD SETTING

| | | | |
|---|---|---|---|
| **Analysis Name :** | Weekday | | |
| **Project Name :** | NCH - Naples Daily News Site - Existing | **No :** | |
| **Date:** | 12/2/2020 | **City:** | |
| **State/Province:** | | **Zip/Postal Code:** | |
| **Country:** | | **Client Name:** | NCH |
| **Analyst's Name:** | DAD | **Edition:** | Trip Gen Manual, 10th Ed |

| Land Use | Independent Variable | Size | Time Period | Method | Entry | Exit | Total |
|---|---|---|---|---|---|---|---|
| 710 - General Office Building (General Urban/Suburban) | 1000 Sq. Ft. GFA | 77.56 | Weekday | Best Fit (LOG)<br>Ln(T) = 0.97Ln(X) +2.5 | 415<br>50% | 414<br>50% | 829 |
| 140 - Manufacturing (General Urban/Suburban) | 1000 Sq. Ft. GFA | 68.87 | Weekday | Best Fit (LIN)<br>T = 3.16 (X)+160.04 | 189<br>50% | 189<br>50% | 378 |
| 150 - Warehousing (General Urban/Suburban) | 1000 Sq. Ft. GFA | 40.07 | Weekday | Best Fit (LIN)<br>T = 1.58 (X)+45.54 | 55<br>50% | 54<br>50% | 109 |

## PERIOD SETTING

| | | | |
|---|---|---|---|
| **Analysis Name :** | Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 7 and 9 a.m. | | |
| **Project Name :** | NCH - Naples Daily News Site - Existing | **No :** | |
| **Date:** | 12/2/2020 | **City:** | |
| **State/Province:** | | **Zip/Postal Code:** | |
| **Country:** | | **Client Name:** | NCH |
| **Analyst's Name:** | DAD | **Edition:** | Trip Gen Manual, 10th Ed |

| Land Use | Independent Variable | Size | Time Period | Method | Entry | Exit | Total |
|---|---|---|---|---|---|---|---|
| 710 - General Office Building (General Urban/Suburban) | 1000 Sq. Ft. GFA | 77.56 | Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 7 and 9 a.m. | Best Fit (LIN)<br>T = 0.94 (X)+26.49 | 85<br>86% | 14<br>14% | 99 |
| 140 - Manufacturing (General Urban/Suburban) | 1000 Sq. Ft. GFA | 68.87 | Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 7 and 9 a.m. | Average<br>0.62 | 33<br>77% | 10<br>23% | 43 |
| 150 - Warehousing (General Urban/Suburban) | 1000 Sq. Ft. GFA | 40.07 | Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 7 and 9 a.m. | Best Fit (LIN)<br>T = 0.12 (X)+25.32 | 23<br>77% | 7<br>23% | 30 |

Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

## PERIOD SETTING

| | | | |
|---|---|---|---|
| **Analysis Name :** | Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 4 and 6 p.m. | | |
| **Project Name :** | NCH - Naples Daily News Site - Existing | **No :** | |
| **Date:** | 12/2/2020 | **City:** | |
| **State/Province:** | | **Zip/Postal Code:** | |
| **Country:** | | **Client Name:** | NCH |
| **Analyst's Name:** | DAD | **Edition:** | Trip Gen Manual, 10th Ed |

| Land Use | Independent Variable | Size | Time Period | Method | Entry | Exit | Total |
|---|---|---|---|---|---|---|---|
| 710 - General Office Building (General Urban/Suburban) | 1000 Sq. Ft. GFA | 77.56 | Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 4 and 6 p.m. | Best Fit (LOG) Ln(T) = 0.95Ln(X) +0.36 | 14 16% | 75 84% | 89 |
| 140 - Manufacturing (General Urban/Suburban) | 1000 Sq. Ft. GFA | 68.87 | Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 4 and 6 p.m. | Average 0.67 | 14 30% | 32 70% | 46 |
| 150 - Warehousing (General Urban/Suburban) | 1000 Sq. Ft. GFA | 40.07 | Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 4 and 6 p.m. | Best Fit (LIN) T = 0.12 (X)+27.82 | 9 27% | 24 73% | 33 |

Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

| Project Information | |
|---|---|
| Project Name: | NCH - Naples Daily News Site - Proposed |
| No: | |
| Date: | 12/2/2020 |
| City: | |
| State/Province: | |
| Zip/Postal Code: | |
| Country: | |
| Client Name: | NCH |
| Analyst's Name: | DAD |
| Edition: | Trip Gen Manual, 10th Ed |

| Land Use | Size | Weekday | | AM Peak Hour | | PM Peak Hour | |
|---|---|---|---|---|---|---|---|
| | | Entry | Exit | Entry | Exit | Entry | Exit |
| 710 - General Office Building (General Urban/Suburban) | 77.56 1000 Sq. Ft. GFA | 415 | 414 | 85 | 14 | 14 | 75 |
| Reduction | | 0 | 0 | 0 | 0 | 0 | 0 |
| Internal | | 0 | 0 | 0 | 0 | 0 | 0 |
| Pass-by | | 0 | 0 | 0 | 0 | 0 | 0 |
| Non-pass-by | | 415 | 414 | 85 | 14 | 14 | 75 |
| 150 - Warehousing (General Urban/Suburban) | 108.94 1000 Sq. Ft. GFA | 109 | 109 | 29 | 9 | 11 | 30 |
| Reduction | | 0 | 0 | 0 | 0 | 0 | 0 |
| Internal | | 0 | 0 | 0 | 0 | 0 | 0 |
| Pass-by | | 0 | 0 | 0 | 0 | 0 | 0 |
| Non-pass-by | | 109 | 109 | 29 | 9 | 11 | 30 |
| Total | | 524 | 523 | 114 | 23 | 25 | 105 |
| Total Reduction | | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Internal | | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Pass-by | | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Non-pass-by | | 524 | 523 | 114 | 23 | 25 | 105 |

## PERIOD SETTING

| | | | |
|---|---|---|---|
| **Analysis Name :** | Weekday | | |
| **Project Name :** | NCH - Naples Daily News Site - Proposed | **No :** | |
| **Date:** | 12/2/2020 | **City:** | |
| **State/Province:** | | **Zip/Postal Code:** | |
| **Country:** | | **Client Name:** | NCH |
| **Analyst's Name:** | DAD | **Edition:** | Trip Gen Manual, 10th Ed |

| Land Use | Independent Variable | Size | Time Period | Method | Entry | Exit | Total |
|---|---|---|---|---|---|---|---|
| 710 - General Office Building (General Urban/Suburban) | 1000 Sq. Ft. GFA | 77.56 | Weekday | Best Fit (LOG)<br>Ln(T) = 0.97Ln(X) +2.5 | 415<br>50% | 414<br>50% | 829 |
| 150 - Warehousing (General Urban/Suburban) | 1000 Sq. Ft. GFA | 108.94 | Weekday | Best Fit (LIN)<br>T = 1.58 (X)+45.54 | 109<br>50% | 109<br>50% | 218 |

Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

## PERIOD SETTING

| | | | |
|---|---|---|---|
| **Analysis Name :** | Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 7 and 9 a.m. | | |
| **Project Name :** | NCH - Naples Daily News Site - Proposed | **No :** | |
| **Date:** | 12/2/2020 | **City:** | |
| **State/Province:** | | **Zip/Postal Code:** | |
| **Country:** | | **Client Name:** | NCH |
| **Analyst's Name:** | DAD | **Edition:** | Trip Gen Manual, 10th Ed |

| Land Use | Independent Variable | Size | Time Period | Method | Entry | Exit | Total |
|---|---|---|---|---|---|---|---|
| 710 - General Office Building (General Urban/Suburban) | 1000 Sq. Ft. GFA | 77.56 | Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 7 and 9 a.m. | Best Fit (LIN)<br>T = 0.94 (X)+26.49 | 85<br>86% | 14<br>14% | 99 |
| 150 - Warehousing (General Urban/Suburban) | 1000 Sq. Ft. GFA | 108.94 | Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 7 and 9 a.m. | Best Fit (LIN)<br>T = 0.12 (X)+25.32 | 29<br>76% | 9<br>24% | 38 |

## PERIOD SETTING

| | | | |
|---|---|---|---|
| **Analysis Name :** | Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 4 and 6 p.m. | | |
| **Project Name :** | NCH - Naples Daily News Site - Proposed | **No :** | |
| **Date:** | 12/2/2020 | **City:** | |
| **State/Province:** | | **Zip/Postal Code:** | |
| **Country:** | | **Client Name:** | NCH |
| **Analyst's Name:** | DAD | **Edition:** | Trip Gen Manual, 10th Ed |

| Land Use | Independent Variable | Size | Time Period | Method | Entry | Exit | Total |
|---|---|---|---|---|---|---|---|
| 710 - General Office Building (General Urban/Suburban) | 1000 Sq. Ft. GFA | 77.56 | Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 4 and 6 p.m. | Best Fit (LOG)<br>Ln(T) = 0.95Ln(X) +0.36 | 14<br>16% | 75<br>84% | 89 |
| 150 - Warehousing (General Urban/Suburban) | 1000 Sq. Ft. GFA | 108.94 | Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 4 and 6 p.m. | Best Fit (LIN)<br>T = 0.12 (X)+27.82 | 11<br>27% | 30<br>73% | 41 |

Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

# Appendix C:

# ITE Land Use Descriptions

# Land Use: 710
# General Office Building

## Description

A general office building houses multiple tenants; it is a location where affairs of businesses, commercial or industrial organizations, or professional persons or firms are conducted. An office building or buildings may contain a mixture of tenants including professional services, insurance companies, investment brokers, and tenant services, such as a bank or savings and loan institution, a restaurant, or cafeteria and service retail facilities. A general office building with a gross floor area of 5,000 square feet or less is classified as a small office building (Land Use 712). Corporate headquarters building (Land Use 714), single tenant office building (Land Use 715), office park (Land Use 750), research and development center (Land Use 760), and business park (Land Use 770) are additional related uses.

If information is known about individual buildings, it is suggested that the general office building category be used rather than office parks when estimating trip generation for one or more office buildings in a single development. The office park category is more general and should be used when a breakdown of individual or different uses is not known. If the general office building category is used and if additional buildings, such as banks, restaurants, or retail stores are included in the development, the development should be treated as a multiuse project. On the other hand, if the office park category is used, internal trips are already reflected in the data and do not need to be considered.

When the buildings are interrelated (defined by shared parking facilities or the ability to easily walk between buildings) or house one tenant, it is suggested that the total area or employment of all the buildings be used for calculating the trip generation. When the individual buildings are isolated and not related to one another, it is suggested that trip generation be calculated for each building separately and then summed.

## Additional Data

The average building occupancy varied considerably within the studies for which occupancy data were provided. The reported occupied gross floor area was 88 for general urban/suburban sites and 96 percent for the center city core and dense multi-use urban sites.

Time-of-day distribution data for this land use for a weekday, Saturday, and Sunday are presented in Appendix A. For the 16 general urban/suburban sites with data, the overall highest vehicle volumes during the AM and PM on a weekday were counted between 7:30 and 8:30 a.m. and 4:30 and 5:30 p.m., respectively.

For the three general urban/suburban sites with person trip data, the overall highest volumes during the AM and PM on a weekday were counted between 8:45 and 9:45 a.m. and 12:45 and 1:45 p.m., respectively. For the three dense multi-use urban sites with person trip data, the overall highest volumes during the AM and PM on a weekday were counted between 8:30 and 9:30 a.m. and 4:45 and 5:45 p.m., respectively. For the four center city core sites with person trip data, the overall highest volumes during the AM and PM on a weekday were counted between 9:00 and 10:00 a.m. and 12:45 and 1:45 p.m., respectively.



Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

The average numbers of person trips per vehicle trip at the eight center city core sites at which both person trip and vehicle trip data were collected were as follows:

- 2.76 during Weekday, Peak Hour of Adjacent Street Traffic, one hour between 7 and 9 a.m.
- 2.90 during Weekday, AM Peak Hour of Generator
- 2.91 during Weekday, Peak Hour of Adjacent Street Traffic, one hour between 4 and 6 p.m.
- 3.02 during Weekday, PM Peak Hour of Generator

The average numbers of person trips per vehicle trip at the 18 dense multi-use urban sites at which both person trip and vehicle trip data were collected were as follows:

- 1.47 during Weekday, Peak Hour of Adjacent Street Traffic, one hour between 7 and 9 a.m.
- 1.47 during Weekday, AM Peak Hour of Generator
- 1.46 during Weekday, Peak Hour of Adjacent Street Traffic, one hour between 4 and 6 p.m.
- 1.53 during Weekday, PM Peak Hour of Generator

The average numbers of person trips per vehicle trip at the 23 general urban/suburban sites at which both person trip and vehicle trip data were collected were as follows:

- 1.30 during Weekday, Peak Hour of Adjacent Street Traffic, one hour between 7 and 9 a.m.
- 1.34 during Weekday, AM Peak Hour of Generator
- 1.32 during Weekday, Peak Hour of Adjacent Street Traffic, one hour between 4 and 6 p.m.
- 1.41 during Weekday, PM Peak Hour of Generator

The sites were surveyed in the 1980s, the 1990s, the 2000s, and the 2010s in Alberta (CAN), California, Colorado, Connecticut, Georgia, Illinois, Indiana, Kansas, Kentucky, Maine, Maryland, Michigan, Minnesota, Missouri, Montana, New Hampshire, New Jersey, New York, Pennsylvania, Texas, Utah, Virginia, and Washington.

### Source Numbers

161, 175, 183, 184, 185, 207, 212, 217, 247, 253, 257, 260, 262, 273, 279, 297, 298, 300, 301, 302, 303, 304, 321, 322, 323, 324, 327, 404, 407, 408, 418, 419, 423, 562, 734, 850, 859, 862, 867, 869, 883, 884, 890, 891, 904, 940, 944, 946, 964, 965, 972



Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

# Land Use: 140
# Manufacturing

## Description

A manufacturing facility is an area where the primary activity is the conversion of raw materials or parts into finished products. Size and type of activity may vary substantially from one facility to another. In addition to the actual production of goods, manufacturing facilities generally also have office, warehouse, research, and associated functions. General light industrial (Land Use 110) and industrial park (Land Use 130) are related uses.

## Additional Data

Time-of-day distribution data for this land use are presented in Appendix A. For the 17 general urban/suburban sites with data, the overall highest vehicle volumes during the AM and PM on a weekday were counted between 6:30 and 7:30 a.m. and 3:00 and 4:00 p.m., respectively.

The sites were surveyed in the 1980s, the 1990s, the 2000s, and the 2010s in Alberta (CAN), California, Minnesota, New Jersey, New York, Oregon, Pennsylvania, South Dakota, Texas, Vermont, and Washington.

## Source Numbers

177, 184, 241, 357, 384, 418, 443, 583, 598, 611, 728, 747, 875, 940, 969



Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

# Land Use: 150
# Warehousing

## Description

A warehouse is primarily devoted to the storage of materials, but it may also include office and maintenance areas. High-cube transload and short-term storage warehouse (Land Use 154), high-cube fulfillment center warehouse (Land Use 155), high-cube parcel hub warehouse (Land Use 156), and high-cube cold storage warehouse (Land Use 157) are related uses.

## Additional Data

Time-of-day distribution data for this land use are presented in Appendix A. For the 13 general urban/suburban sites with data, the overall highest vehicle volumes during the AM and PM on a weekday were counted between 11:30 a.m. and 12:30 p.m. and 3:00 and 4:00 p.m., respectively.

The sites were surveyed in the 1980s, the 1990s, the 2000s, and the 2010s in California, Connecticut, Minnesota, New Jersey, New York, Ohio, Oregon, Pennsylvania, and Texas.

## Source Numbers

184, 331, 406, 411, 443, 579, 583, 596, 598, 611, 619, 642, 752, 869, 875, 876, 914, 940



Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)




ORDINANCE NO. 06 - 49

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA AMENDING ORDINANCE NUMBER 2004-41, AS AMENDED, THE COLLIER COUNTY LAND DEVELOPMENT CODE WHICH INCLUDES THE COMPREHENSIVE ZONING REGULATIONS FOR THE UNINCORPORATED AREA OF COLLIER COUNTY, FLORIDA BY AMENDING THE APPROPRIATE ZONING ATLAS MAP OR MAPS BY CHANGING THE ZONING CLASSIFICATION OF THE HEREIN DESCRIBED REAL PROPERTY FROM RURAL AGRICULTURE (A) AND CREEKSIDE COMMERCE PARK PUD ZONING DISTRICTS TO A BUSINESS PARK PLANNED UNIT DEVELOPMENT ZONING DISTRICT TO BE KNOWN AS THE NAPLES DAILY NEWS BPPUD AND LOCATED, IN SECTION 27, TOWNSHIP 48 SOUTH, RANGE 25 EAST, COLLIER COUNTY, FLORIDA, CONSISTING OF 35.24 ACRES; AND BY PROVIDING AN EFFECTIVE DATE.

WHEREAS, D. Wayne Arnold, AICP, of Q. Grady Minor & Assoc., P.A., representing Collier Publishing Company, Inc., d/b/a Naples Daily News, petitioned the Board of County Commissioners to change the zoning classification of the herein described real property.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, that:

SECTION ONE:

The zoning classification of the herein described real property located in Section 27, Township 48 South, Range 25 East, Collier County, Florida, is changed from the Rural Agriculture (A) and Creekside Commerce Park PUD Zoning Districts to Business Park Planned Unit Development Zoning District for a project known as Naples Daily News Business Park Planned Unit Development (BPPUD) in accordance with the BPPUD Document, attached hereto as Exhibit "A" and incorporated by reference herein. The appropriate zoning atlas map or maps as described in Ordinance Number 2004-41, as amended, the Collier County Land Development Code, is/are hereby amended accordingly.

SECTION TWO:

This Ordinance shall become effective upon filing with the Florida Department of State.

PASSED AND DULY ADOPTED by super majority vote of the Board of County Commissioners of Collier County, Florida, this 24th day of October, 2006.





Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

ATTEST:
DWIGHT E. BROCK, CLERK

By: _____ Deputy Clerk

Attest as to Chairman signature only.

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

BY: _____
FRANK HALAS, CHAIRMAN

Approved as to form
and legal sufficiency

Marjorie M. Student-Stirling
Marjorie M. Student-Stirling
Assistant County Attorney

PUDZ-2005-AR-8833/MJD/sp

This ordinance filed with the Secretary of State's Office the 3rd day of Nov., 2006 and acknowledgement of that filing received this 7th day of Nov, 2006.

By: _____
Deputy Clerk



Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

# NAPLES DAILY NEWS

A

# BUSINESS PARK PLANNED UNIT DEVELOPMENT

PREPARED FOR:

COLLIER PUBLISHING COMPANY, INC.
Naples Daily News
1075 Central Avenue
Naples, FL 34102

PREPARED BY:

Q. GRADY MINOR AND ASSOCIATES, P.A.
3800 Via Del Rey
Bonita Springs, FL 34134
(239) 947-1144
(239) 947-0375 (fax)

and

ROETZEL & ANDRESS, L.P.A.
850 Park Shore Drive
Trianon Center, 3rd Floor
(239) 649-2708
(239) 261-3659 (fax)
Naples, FL 34103

DATE FILED 10/24/2006
DATE APPROVED BY CCPC
DATE APPROVED BY BCC 10/24/2006
ORDINANCE NUMBER 2006-49

EXHIBIT "A"

Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

# TABLE OF CONTENTS


| | | PAGE |
|---|---|---|
| STATEMENT OF COMPLIANCE AND SHORT TITLE | | iii |
| SECTION I | LEGAL DESCRIPTION, PROPERTY OWNERSHIP, & GENERAL DESCRIPTION | 1-1 |
| SECTION II | PROJECT DEVELOPMENT | 2-1 |
| SECTION III | BUSINESS PARK | 3-1 |
| SECTION IV | PRESERVE | 4-1 |
| SECTION V | OPEN SPACE | 5-1 |
| SECTION VI | GENERAL DEVELOPMENT COMMITMENTS | 6-1 |


Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

## LIST OF EXHIBITS


| | |
|---|---|
| EXHIBIT A | NAPLES DAILY NEWS BUSINESS PARK BPPUD MASTER PLAN |
| EXHIBIT B | BOUNDARY SURVEY |
| EXHIBIT C | LOCATION MAP |
| EXHIBIT D | DEVIATIONS |
| EXHIBIT E | CONCEPTUAL PARK / PARKLET PLAN |
| EXHIBIT F | CONCEPTUAL WATER MANAGEMENT PLAN |
| EXHIBIT G | WATER MANAGEMENT MEMORANDUM |
| EXHIBIT H | CONCEPTUAL LANDSCAPE PLAN |


Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

## STATEMENT OF COMPLIANCE

The purpose of this Section is to express the intent of Collier County Publishing Company dba Naples Daily News and Ocean Boulevard Partnership and Ocean Boulevard Partnership II, hereinafter referred to as the developer, to create a Business Park Planned Unit Development (BPPUD) on 35± acres of land located in Section 27, Township 48 South, Range 25 East, Collier County, Florida. The name of this Business Planned Unit Development (BPPUD) shall be Naples Daily News BPPUD. The development of the Naples Daily News BPPUD will be in compliance with the planning goals and objectives of Collier County as set forth in the Growth Management Plan, Business Park Subdistrict. The development will be consistent with the growth policies and land development regulations adopted thereunder of the Growth Management Plan Future Land Use Element and other applicable regulations for the following reasons:

1. The subject property is within the Urban Mixed Use District, Urban Residential Subdistrict as identified on the Future Land Use Map of the Future Land Use Element (FLUE). The purpose of the Urban Mixed Use District, Urban Residential Subdistrict is to provide for a variety of residential and non-residential developments such as Planned Unit Developments. Pursuant to the FLUE, Business Parks are allowed as a Subdistrict in an Urban-Mixed Use District.

2. The Naples Daily News BPPUD is compatible with and complementary to existing and future surrounding land uses as required in Policy 5.4 of the FLUE. The project lies between developed industrial and commercial planned developments, and the uses, development standards, buffers and open spaces are compatible with neighboring properties.

3. Improvements will be in compliance with all applicable land development regulations.

4. The development of the Naples Daily News BPPUD will result in an efficient and economical extension of community facilities and services.

5. The Naples Daily News BPPUD complies with the location and development criteria for business parks as found in the Business Park Subdistrict of the Future Land Use Element of the Collier County Growth Management Plan.

6. All final local development orders for this project are subject to the Collier County Adequate Public Facilities Ordinance.

7. The Naples Daily News BPPUD is in compliance with Objective 7 and its implementing policies of the Future Land Use Element, in that interconnections to surrounding development have been provided for vehicular and pedestrian access. The conceptual location of the interconnection(s) have been shown on the conceptual master plan.

Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

8. Access to the Naples Daily News BPPUD is presently provided to Immokalee Road (via Creekside Way), an arterial roadway and to Creekside Boulevard.

Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

## SHORT TITLE

This ordinance shall be known and cited as the "NAPLES DAILY NEWS BUSINESS PARK PLANNED UNIT DEVELOPMENT ORDINANCE".

Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

# SECTION I

## LEGAL DESCRIPTION, PROPERTY OWNERSHIP, AND GENERAL DESCRIPTION

### 1.1 PURPOSE

The purpose of this Section is to set forth the legal description and ownership of the Naples Daily News BPPUD, and to describe the existing condition of the property proposed to be developed.

### 1.2 LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 48 SOUTH, RANGE 25 EAST, COLLIER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 27, TOWNSHIP 48 SOUTH, RANGE 25 EAST, COLLIER COUNTY, FLORIDA; THENCE RUN SOUTH 00°38'43" EAST, ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 27, ALSO BEING THE EAST RIGHT-OF-WAY OF U.S. 41 FOR A DISTANCE OF 125.02 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY OF IMMOKALEE ROAD; THENCE RUN NORTH 44°38'23" EAST, ALONG SAID SOUTH RIGHT-OF-WAY FOR A DISTANCE OF 34.99 FEET; THENCE RUN SOUTH 89°45'00" EAST, ALONG SAID SOUTH RIGHT-OF-WAY FOR A DISTANCE OF 573.45 FEET; THENCE RUN SOUTH 86°53'15" EAST, ALONG SAID SOUTH RIGHT-OF-WAY FOR A DISTANCE OF 500.61 FEET; THENCE RUN SOUTH 89°45'00" EAST, ALONG SAID SOUTH RIGHT-OF-WAY FOR A DISTANCE OF 134.22 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE SOUTH 89°45'00" EAST FOR A DISTANCE OF 599.23 FEET; THENCE RUN SOUTH 00°15'00" WEST FOR A DISTANCE OF 5.00 FEET; THENCE RUN SOUTH 89°45'00" EAST FOR A DISTANCE OF 35.04 FEET; THENCE RUN NORTH 02°33'13" WEST FOR A DISTANCE OF 5.01 FEET; THENCE RUN SOUTH 89°45'00" EAST FOR A DISTANCE OF 249.45 FEET; THENCE RUN SOUTH 00°25'51" WEST FOR A DISTANCE OF 107.22 FEET; THENCE RUN SOUTH 60°02'56" EAST FOR A DISTANCE OF 117.20 FEET; THENCE RUN SOUTH 82°32'14" EAST FOR A DISTANCE OF 119.17 FEET; THENCE RUN SOUTH 00°07'39" EAST FOR A DISTANCE OF 111.93 FEET; THENCE RUN NORTH 89°58'01" WEST FOR A DISTANCE OF 456.64 FEET; THENCE RUN SOUTH 02°19'57" EAST FOR A DISTANCE OF 1,179.69 FEET; THENCE RUN NORTH 72°59'03" WEST FOR A DISTANCE OF 656.88 FEET; THENCE RUN SOUTH 77°43'40" WEST FOR A DISTANCE OF 573.75 FEET; THENCE RUN SOUTH 00°39'12" EAST FOR A DISTANCE OF 187.52 FEET; THENCE RUN SOUTH 68°35'21" WEST FOR A DISTANCE OF 110.88 FEET; THENCE RUN SOUTH 57°47'59" WEST FOR A DISTANCE OF 46.92 FEET; THENCE RUN SOUTH 89°20'45" WEST FOR A DISTANCE OF 156.34 FEET; THENCE RUN SOUTH 00°39'15" EAST FOR A DISTANCE OF 34.09 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE SOUTHWEST, WHOSE RADIUS POINT BEARS SOUTH 06°18'10" WEST, A DISTANCE OF 70.00 FEET THEREFROM; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 70.00 FEET, THROUGH A CENTRAL ANGLE OF 38°45'24", SUBTENDED BY A CHORD OF 46.45 FEET AT A BEARING OF SOUTH 64°19'08" EAST, FOR A DISTANCE OF 47.35 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE WEST, WHOSE RADIUS POINT BEARS SOUTH 45°03'34" WEST, A DISTANCE OF 197.21 FEET THEREFROM; THENCE RUN SOUTHERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 197.21 FEET, THROUGH A CENTRAL ANGLE OF 75°24'07", SUBTENDED BY A CHORD OF 241.20 FEET AT A BEARING OF SOUTH 07°14'23" EAST, FOR A DISTANCE OF 259.53 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE EAST, WHOSE RADIUS POINT BEARS

Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

SOUTH 59°32'19" EAST, A DISTANCE OF 130.00 FEET THEREFROM; THENCE RUN SOUTHERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 130.00 FEET, THROUGH A CENTRAL ANGLE OF 66°43'37", SUBTENDED BY A CHORD OF 142.99 FEET AT A BEARING OF SOUTH 02°54'08" EAST, FOR A DISTANCE OF 151.40 FEET TO A POINT OF REVERSE CURVATURE; THENCE RUN SOUTHERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 70.00 FEET, THROUGH A CENTRAL ANGLE OF 98°24'12", SUBTENDED BY A CHORD OF 105.98 FEET AT A BEARING OF SOUTH 12°56'10" WEST, FOR A DISTANCE OF 120.22 FEET TO THE END OF SAID CURVE; THENCE RUN SOUTH 62°08'16" WEST FOR A DISTANCE OF 75.07 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE CONCAVE EAST; THENCE RUN SOUTHERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 30.00 FEET; THROUGH A CENTRAL ANGLE OF 93°06'13"; SUBTENDED BY A CHORD OF 43.56 FEET AT A BEARING OF SOUTH 15°35'09" WEST, FOR A DISTANCE OF 48.75 FEET TO THE END OF SAID CURVE; THENCE RUN SOUTH 30°57'58" EAST FOR A DISTANCE OF 34.79 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE CONCAVE SOUTHWEST; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 80.00 FEET; THROUGH A CENTRAL ANGLE OF 14°16'42"; SUBTENDED BY A CHORD OF 19.88 FEET AT A BEARING OF SOUTH 23°49'37" EAST, FOR A DISTANCE OF 19.94 FEET TO THE END OF SAID CURVE; THENCE RUN SOUTH 84°13'14" EAST FOR A DISTANCE OF 158.41 FEET; THENCE RUN SOUTH 80°55'24" EAST FOR A DISTANCE OF 183.78 FEET; THENCE RUN SOUTH 81°52'51" EAST FOR A DISTANCE OF 180.90 FEET; THENCE RUN SOUTH FOR A DISTANCE OF 261.28 FEET; THENCE RUN WEST FOR A DISTANCE OF 394.57 FEET; THENCE RUN NORTH FOR A DISTANCE OF 271.73 FEET; THENCE RUN NORTH 84°13'14" WEST FOR A DISTANCE OF 120.32 FEET; THENCE RUN SOUTH 33°05'40" WEST FOR A DISTANCE OF 54.13 FEET; THENCE RUN SOUTH 76°56'51" WEST FOR A DISTANCE OF 89.04 FEET; THENCE RUN NORTH 58°35'21" WEST FOR A DISTANCE OF 65.19 FEET; THENCE RUN NORTH 15°31'55" WEST FOR A DISTANCE OF 74.80 FEET; THENCE RUN NORTH 00°41'41" WEST FOR A DISTANCE OF 115.24 FEET; THENCE RUN NORTH 28°22'47" EAST FOR A DISTANCE OF 171.51 FEET; THENCE RUN NORTH 17°11'45" WEST FOR A DISTANCE OF 106.79 FEET; THENCE RUN NORTH 13°02'52" EAST FOR A DISTANCE OF 28.51 FEET; THENCE RUN NORTH 73°36'14" WEST FOR A DISTANCE OF 54.78 FEET; THENCE RUN SOUTH 49°16'08" WEST FOR A DISTANCE OF 112.78 FEET; THENCE RUN SOUTH 89°47'08" WEST FOR A DISTANCE OF 53.08 FEET; THENCE RUN NORTH 58°00'49" WEST FOR A DISTANCE OF 50.49 FEET; THENCE RUN NORTH 00°39'12" WEST FOR A DISTANCE OF 303.48 FEET; THENCE RUN NORTH 89°20'45" EAST FOR A DISTANCE OF 341.45 FEET; THENCE RUN NORTH 00°39'15" WEST FOR A DISTANCE OF 25.00 FEET; THENCE RUN NORTH 69°14'15" EAST FOR A DISTANCE OF 258.29 FEET; THENCE RUN NORTH 13°26'32" EAST FOR A DISTANCE OF 348.97 FEET; TO A POINT ON A CIRCULAR CURVE CONCAVE NORTH, WHOSE RADIUS POINT BEARS NORTH 03°17'21" EAST, A DISTANCE OF 936.00 FEET THEREFROM; THENCE RUN EASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 936.00 FEET, THROUGH A CENTRAL ANGLE OF 06°23'14", SUBTENDED BY A CHORD OF 104.29 FEET AT A BEARING OF SOUTH 89°54'16" EAST, FOR A DISTANCE OF 104.34 FEET TO THE END OF SAID CURVE; THENCE RUN NORTH 86°54'07" EAST FOR A DISTANCE OF 258.32 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE CONCAVE NORTHWEST; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 50.00 FEET; THROUGH A CENTRAL ANGLE OF 86°54'07"; SUBTENDED BY A CHORD OF 68.77 FEET AT A BEARING OF NORTH 43°27'04" EAST, FOR A DISTANCE OF 75.84 FEET TO THE END OF SAID CURVE; THENCE RUN NORTH FOR A DISTANCE OF 830.91 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE NORTHWEST, WHOSE RADIUS POINT BEARS NORTH, A DISTANCE OF 85.00 FEET THEREFROM; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 85.00 FEET, THROUGH A CENTRAL ANGLE OF 90°00'00", SUBTENDED BY A CHORD OF 120.21 FEET AT A BEARING OF NORTH 45°00'00" EAST, FOR A DISTANCE OF 133.52 FEET TO THE END OF SAID CURVE; THENCE RUN

Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

NORTH FOR A DISTANCE OF 224.63 FEET TO THE POINT OF BEGINNING; CONTAINING 35.24 ACRES, MORE OR LESS.

## 1.3 PROPERTY OWNERSHIP

Folio #'s 29331190521 and 29331190660
Creekside Commerce Park Property Owners Association, Inc.
2600 Golden Gate Parkway
Naples, Florida 34105

Folio #'s 00168040601 and 00168046003
Ocean Boulevard Partnership II
2600 Golden Gate Parkway
Naples, Florida 34105

Folio #'s 00168042900
Ocean Boulevard Partnership
2600 Golden Gate Parkway
Naples, Florida 34105

Folio #'s 00168042803
Ocean Boulevard Partnership II
Ocean Boulevard Partnership
2600 Golden Gate Parkway
Naples, Florida 34105

Contract Purchaser:

Folio #'s 00168040601, 001680429000, 00168042803, and 00168046003
Collier Publishing Company, Inc.
dba Naples Daily News
1075 Central Avenue
Naples, Florida 34102

## 1.4 GENERAL AND PHYSICAL DESCRIPTION OF PROPERTY

A. The project site is located in Section 27, Township 48 South, Range 25 East. The site is bordered on the north by Immokalee Road, on the south by Pelican Marsh PUD/DRI, on the east by the Creekside Commerce Park PUD and Pelican Marsh PUD/DRI, and the west by Pelican Marsh PUD/DRI and Granada Shoppes PUD.

B. The zoning classification of the subject property at the time of BPPUD application was A, Rural Agriculture, and Creekside Commerce Park PUD.

Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

C. Elevations within the site are approximately 8' above MSL, per FEMA Firm Map Panel No. 120067 193 D, dated June 3, 1986. The property is located within flood zone AE (11).

D. A majority of the site has been altered due to ongoing agricultural operations. A portion of the site lying adjacent to Pelican Marsh does contain native vegetation which is to be retained and designated as a preserve area on the conceptual master plan.

E. The soil types on the site generally include Myakka and Satellite Fine Sand and Halopaw and Okeelanta depressional soils. This information was derived from the Soil Survey of Collier County Area, Florida, 1998.

F. The project site is located within the Collier County Water Management District Pine Ridge Canal Basin.

G. Industrial, light industrial and accessory uses shall be permitted within Business Park designated portions of the project.

Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

## SECTION II
## PROJECT DEVELOPMENT

### 2.1 PURPOSE

The purpose of this Section is to generally describe the plan of development for the Naples Daily News BPPUD, and to identify relationships to applicable County ordinances, policies, and procedures.

### 2.2 GENERAL DESCRIPTION OF PROJECT PLAN AND PROPOSED LAND USES

A. The Naples Daily News BPPUD will be developed as a business park providing for industrial and light industrial uses including but not limited to multi-media publishing, printing, broadcasting and other communication and information technologies, and mediums and accessory uses, consistent with the Business Park Sub-district of the Urban Mixed Use District of the Future Land Use Element of the Collier County Growth Management Plan as set forth more specifically in Section 3.3 of this BPPUD.

B. The Master Plan is illustrated graphically on Exhibit "A". A Land Use Summary indicating approximate land use acreages is shown on the plan. The master plan is conceptual, and the location, size, and configuration of individual tracts and access to tracts shall be determined at the time of final site development plan and/or preliminary subdivision plat approval with minor adjustments at the time of final plat approval.

### 2.3 COMPLIANCE WITH COUNTY ORDINANCES

A. Regulations for development of the Naples Daily News BPPUD shall be in accordance with the contents of this BPPUD Ordinance and applicable sections of the Collier County Land Development Code ("LDC") and the Collier County Growth Management Plan which are in effect at the time of issuance of any development order to which said regulations relate. Where this BPPUD Ordinance does not provide developmental standards, then the provisions of the specific section of the LDC that is otherwise applicable shall apply. The regulations of the LDC shall apply to this BPPUD zoning district except as follows:

1. Where a deviation or deviations from the provisions of the LDC have been requested as part of the application for PUD zoning and approved by the Board of County Commissioners (BCC).

2. Where a substitution or substitutions to a design standard or standards have been or will be requested by the applicant pursuant to the LDC.

Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

3. Where the land uses and development standards which include but are not limited to setbacks, height requirements, minimum lot area, are set forth as a part of this BPPUD Document.

4. Where there are standards set forth within this BPPUD Document that are more strict than the standards set forth in the LDC.

5. Where there are standards set forth in this BPPUD Document not addressed by the LDC

B. Unless otherwise defined herein, or as necessarily implied by context, the definitions of all terms shall be the same as the definitions set forth in the LDC in effect at the time of development order application.

C. Development permitted by the approval of this BPPUD will be subject to the Adequate Public Facilities Ordinance, Ordinance Number 04-08.

D. All conditions imposed and all graphic material presented depicting restrictions for the development of the Naples Daily News BPPUD shall become part of the regulations which govern the manner in which the BPPUD site may be developed.

## 2.4 DEVIATIONS

A. A deviation from LDC, Section 4.06.02.C.5 requirement to construct a twenty-five foot (25') wide landscape buffer along Immokalee Road to provide a twenty-five foot (25') wide landscape buffer, without a six foot (6') high wall, berm or wall and berm combination.

B. A deviation from LDC Section 4.02.13.G and Section 4.06.02.C.5, which requires a business park to provide a 25' wide landscape buffer around the entire boundary of a business park, to permit the following buffers:

1. East – 25' wide buffer adjacent Creekside Commerce Park, without a wall or berm.

2. West – 25' wide buffer adjacent to Granada Shoppes PUD, without a wall or berm.

3. South – the 25' wide existing buffer and berm adjacent to the Pelican Marsh PUD shall be maintained for that portion of the Naples Daily News BPPUD located west and south of the existing berm and designated as open space, preserve, or lake area and supplemental plantings shall be consistent with Section 2.9.D.

C. A deviation from LDC Section 4.06.02.A.3, Buffer Requirements.



Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

A request to permit required landscape buffers and signs within recorded water and wastewater easements consistent with grant of easement restrictions as recorded in O.R. Book 2712, Pages 0624 – 0626, and O.R. Book 2712, Pages 0610 – 0612.

## 2.5 ROADWAYS

A Roadways within the Naples Daily News BPPUD may be public or private. Standards for roads and driveways shall be in compliance with the applicable provisions of the LDC regulating subdivisions, unless otherwise modified, waived or excepted by this PUD or approved during preliminary subdivision plat approval or site development plan approval. The developer reserves the right to request substitutions to Code design standards in accordance the LDC or Code of Laws and Ordinances.

## 2.6 USE OF RIGHTS-OF-WAY

Utilization of lands within all project rights-of-way or access easements for landscaping, decorative entrance ways, and signage purposes shall be allowed subject to review and administrative approval by the Collier County Manager or his designee taking into account engineering and safety considerations during the development review process and prior to any installations.

## 2.7 CHANGES AND AMENDMENTS TO BPPUD DOCUMENT OR BPPUD MASTER PLAN

Changes and amendments may be made to this BPPUD Ordinance, BPPUD Master Plan as provided in Chapter 10 of the LDC.

## 2.8 COMMON AREA MAINTENANCE

Provisions for the perpetual maintenance of common facilities and open spaces will be provided by a Property Owners' Association or similar entity, as set forth in the LDC.

Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

## 2.9 LANDSCAPE BUFFERS, BERMS, FENCES AND WALLS

Landscape buffers, berms, fences and walls are generally permitted as a principal use throughout the Naples Daily News BPPUD. The following standards shall apply:

A. Landscape berms shall have the following maximum side slopes:

i) Ground covered berms 3:1
ii) Rip-Rap berms 2:1
iii) Structural walled berms

B. Landscape buffers, berms, fences and walls may be constructed along the perimeter of the Naples Daily News Business Park BPPUD boundary prior to preliminary subdivision plat and site development plan submittal.

C. In order to minimize the visibility of loading and vehicular service areas on the western side of the Naples Daily News Business Park BPPUD, the applicant, at the time of SDP submittal, will provide vegetative or physical screening at strategic locations. The screening may include appropriate buffer treatments, as well as, specific vegetative or physical screening located in close proximity to the service areas as methods to reduce visibility from adjacent property.

D. The developer will supplement the existing ficus hedge which presently serves as a buffer between the proposed BPPUD and the Bay Colony Development with 80 live oak trees 12 feet high with a minimum spread of 6 feet at the time of planting. Additionally these oak trees will be supplemented with ficus trees, to the extent the County will allow the use of ficus trees, to create an opaque buffer. The developer agrees to work with the Bay Colony Property Owners' Association to gain County approval for the use of the ficus trees. The supplementary oak and ficus trees will be located in the buffer area at field selected locations between the Creekside PUD on the east and the point on the west where the buffer turns south. This distance is approximately 1,100 feet.

In the event that the ficus hedge is damaged by a windstorm to the extent of a reduction in the opaque value of 50% or more, the developer agrees to replace or reset, whichever is appropriate, any of the 80 live oak trees installed above and install or reset the ficus trees as necessary to restore the buffer as close to its pre-storm condition as reasonably possible considering the availability of tree materials at the time of the restoration.

E. The southerly portion of Parcel A shall be heavily planted with trees and shrubs to create the needed park-like setting to buffer the noise and odor impacts from printing activities.



Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

F. The developer shall provide additional trees in an amount that equals 30% of the minimum tree requirements set forth in the LDC. Additional vegetative material shall be installed near the intersection of Immokalee Road and Creekside Way in substantial compliance with Exhibit H, Conceptual Landscape Plan. The landscaping located on the Immokalee Road frontage shall be in substantial compliance with Exhibit H and shall consist of oak trees and shrubs.

## 2.10 DESIGN GUIDELINES AND STANDARDS

A. The Collier County Planned Unit Development District is intended to encourage ingenuity, innovation and imagination in the planning, design and development or redevelopment of land under unified ownership or control, as set forth in of the LDC.

B. The Naples Daily News Business Park BPPUD is a planned community and will be developed under unified control. The developer will establish approved design guidelines and standards for business services, commercial uses, and related community features and facilities, which include features and facilities such as landscaping, signage, lighting, pedestrian systems, fences, buffers, and other similar facilities.

C. All business park land uses shall be subject to Chapter 5 of the LDC, as applicable, except where a deviation was approved. For purposes of this BPPUD, any building façade facing the required extension of Creekside Way shall not be considered a primary façade.

D. Please refer to Section 3.4.C.6 of the BPPUD for additional building design standards.

## 2.11 SUBDIVISION PLAT / SDP PHASING

Submission, review, and approval of preliminary or final subdivision plats or site development plans for the project may be accomplished in phases to correspond with the planned development of the property.

## 2.12 GENERAL PERMITTED USES

Certain uses listed below shall be considered general permitted uses throughout the Naples Daily News BPPUD, except where in conflict with any conservation easement. General permitted uses are those uses which generally serve the developer and residents of the Naples Daily News BPPUD and are typically part of the common infrastructure or are considered community facilities.

A. General Permitted Uses:



Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

1. Essential services as set forth under LDC, Chapter 2.

2. Water management facilities and related structures.

3. Lakes including lakes with bulkheads, bridges, or other architectural or structural bank treatments.

4. Community recreational facilities.

5. Temporary construction, sales, and administrative offices for the developer and developer's authorized contractors and consultants, including the necessary access ways, parking areas and related uses to serve such offices.

6. Landscape features including, but not limited to, landscape buffers, berms, fences and walls subject to the standards set forth in Section 2.9 of this BPPUD.

7. Directional and informational signage, real estate signs, or project monument signage

8. Any other use which is comparable in nature with the foregoing list of permitted principal uses, as determined by the Board of Zoning Appeals (BZA).

B. Development Standards:

Unless otherwise set forth in this Document, the following development standards shall apply to structures:

1. Setback from back of curb or edge of pavement of any road - Ten feet (10'), except for signage located within medians.

2. Setback from BPPUD boundary: Fifteen feet (15'), except that signage shall be in compliance with the LDC or as specified in the Naples Daily News BPPUD.

3. Minimum distance between unrelated structures - Fifteen feet (15').

4. Setback from lake/water management area: Twenty feet (20').

5. Maximum height of structures – Thirty-five feet (35') as measured from required minimum flood elevation.

Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

6. Standards for parking, landscaping, signs and other land uses where such standards are not specified herein are to be in accordance with LDC in effect at the time of site development plan approval.

## 2.13 OPEN SPACE REQUIREMENTS

The LDC requires that business park projects maintain open space at a minimum of 30% of the project area. The project will be designed in accordance with this standard and open space areas shall be shown on the site development plan and/or subdivision plat, whichever may be required. The 30% open space requirement shall be applicable to the BPPUD, and is not required to be met on individual development parcels.

## 2.14 SIGNAGE

A. GENERAL

1. All Collier County sign regulations in force at the time of sign permit application shall apply unless approved as deviations in Section 2.3 of this BPPUD.

2. Signs shall be permitted in private rights-of-way and within buffer, utility and drainage easements.

3. All signs shall be located so as not to cause sight line obstructions.

4. All internal project rights-of-way, drive aisles, or access easements may be utilized for decorative landscaped entrance features and signage subject to review and approval from the County Manager of his designee for consistency with the requirements set forth herein.

5. Ground signage shall be restricted to monument type signs similar in style and size to those installed at Creekside Commerce Park. No pole signs shall be permitted within the Naples Daily News Business Park BPPUD.

B. TRAFFIC SIGNS

1. Traffic signs such as street signs, stop signs and speed limit signs may be designed to reflect a common architectural theme. The placement and size of the signs shall be in accordance with DOT criteria.

Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

## 2.15 SUBSTITUTIONS TO SUBDIVISION DESIGN STANDARDS

A. The developer reserves the right to request substitutions to subdivision improvement and utility design standards in accordance with the LDC.

B. Roadways within the Naples Daily News BPPUD shall be designed and constructed in accordance with the LDC with the following substitutions:

6.06.02; Streets and access improvements

1. Section 6.06.02; Sidewalks, bike lanes and bike paths.

Creekside Boulevard is an existing roadway and has been constructed with a 5 foot wide sidewalk on one side of the roadway. Creekside Way will serve as the primary project access to Immokalee Road and this roadway has been constructed with a sidewalk on one side of the roadway prior to approval of the Naples Daily News BPPUD. The developer shall provide internal pedestrian connections to the existing pedestrian network; however, the developer shall not be required to retrofit existing roadways to include additional sidewalks. The developer shall be permitted to make payment in-lieu of construction of the sidewalks.

Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

# SECTION III

# BUSINESS PARK
# "BP"

## 3.1 PURPOSE

The purpose of this Section is to identify permitted uses and development standards for development areas within the Naples Daily News BPPUD.

## 3.2 GENERAL DESCRIPTION

The approximate acreage of the business park is indicated on the Master Plan. This acreage is based on conceptual designs and is approximate. Actual acreages of all development tracts will be provided at the time of site development plan or preliminary subdivision plat approvals in accordance with the LDC. A maximum of 400,000 square feet of Business Park light industrial uses as listed below in Section 3.3 shall be permitted within the BPPUD

## 3.3 PERMITTED USES AND STRUCTURES

### A. Permitted primary uses (Parcel A).

Parcel A of the Naples Daily News BPPUD district acreage is allowed to be developed with the following uses (where numbers follow in parentheses, the uses are based on the 1987 SIC Manual):

1. Communications (groups 4812-4899, including only rooftop or ground mounted communication towers and subject to Section 5.05.09 of the LDC.)

2. Motion picture production (groups 7812-7819)

3. Printing, publishing and allied industries (groups 2711-2796)

4. Publishing, telecommunications, motion picture and video, broadcasting, internet publishing industries and other information services.

5. Advertising and direct mailers and photography, including mailing, distribution, collation, insertion of products in newspaper, non-newspaper products and containers and outside publications.

Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

6. Information management and software.

7. Independent artists, writers and performers.

8. Printing and business support services.

9. Newsdealers and newsstands.

10. All forms of multi-media uses including but not limited to publishing, marketing, distributing, broadcasting, film production, software, internet, intranet, video, communication and information technologies and mediums now existing or subsequently created, adapted or discovered; it being the intent that such future technologies and mediums be deemed "Permitted Uses".

11. Any other use which is comparable in nature with the foregoing list of permitted principal uses, as determined by the Board of Zoning Appeals (BZA).

**B. Permitted primary uses (Parcel B).**

Parcel B of the Naples Daily News BPPUD district acreage is allowed to be developed with the following uses (where numbers follow in parentheses, the uses are based on the 1987 SIC Manual):

1. All uses permitted on Parcel A
2. Aircraft parts and auxiliary equipment (group3728)
3. Apparel and other finished products (groups 2311-2399)
4. Building contractors (groups 1521-1542), except for general contractors for mobile home repair on site, modular housing and premanufactured housing assembled on site, dry cleaning plant construction, paper pulp mill construction, and truck and automobile assembly plant construction.
5. Construction: Special trade contractors (groups 1711-1799 except for boiler erection and installation contractors; fuel oil burner installation and servicing contractors; gasoline hookup contractors; sewer hookups and connection for buildings contractors; epoxy application contractors; fireproofing buildings contractors; gasoline

Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

pump installation contractors; lead burning contractors; and mobile home site setup and tie down contractors)

6. Electronics and other electrical equipment manufacturing (groups 3612, 3613, 3624, 3625, 3631, 3641-3676, 3678, 3679, 3694, 3695, 3699, except for airport lighting transformers, autotransformers, electric (power transformers) distribution transformers, electric; electric furnace transformers; lighting transformers, street and airport; transformers, reactor; atom smashers (particle accelerators; electron beam metal cutting, forming, and welding machines; electron linear accelerators; electrostatic particle accelerators))

7. Furniture and fixtures manufacturing (groups 2511 -2599)

8. Industrial and commercial machinery and computer equipment (groups 3524, 3546, 3553-3556, 3559, 3562, 3564-3566, 3581-3599 except for bronzing and dusting machines for printing trades; foundry type for printing; presses, printing - slugs printers'; ammunition and explosives loading machinery; brick making machines; cement making machinery; chemical kilns; control rod drive mechanisms for use on nuclear reactors; foundry machinery and equipment; frame straighteners, automotive (garage equipment); fur sewing machines; ginning machines, cotton; metal finishing equipment for plating, except rolling mill lines; metal pickling equipment, except rolling mill lines)

9. Leather and leather products (groups 3131-3199)

10. Measuring, analyzing, and controlling instruments; photographic, medical and optical goods; watches and clocks manufacturing (groups 3812-3843, 3845-3873)

11. Medical laboratories and research and rehabilitative centers (groups 8071-8092, 8099)

12. Miscellaneous manufacturing industries (groups 3911-3999 except for dressing of furs: bleaching, blending, curring, scraping, and tanning; feathers: curling, dyeing, and renovating - for the trade; fur stripping; furs dressed: bleached, curried, scraped, tanned, and dyed; pelts: scraping, curring, tanning, bleaching and dyeing; plumes, feather; tear gas devices and equipment; veils made of hair)

Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

13. Paper and allied products (groups 2652-2657, 2673-2679)

14. Plastic materials and synthetics (groups 2833, 2834)

15. Printing, publishing and allied Industries (groups 2711-2791)

16. Rubber and miscellaneous plastic products (groups 3021, 3085, 3086, 3088, 3089)

17. Transportation equipment (group 3732, except for boats, fiberglass: building and repairing; boats: motorboats, sailboats, rowboats, and canoes - building and repairing; houseboats, building and repairing; motorboats, inboard and outboard: building and repairing)

18. Wholesale trade – durable goods (groups 5021-5031, 5043-5049, 5063-5074, 5078, 5091, 5092, 5094-5099 except for fencing, wood-wholesale; lumber: rough, dressed, and finished-wholesale; batteries, except automotive-wholesale; storage batteries, industrial-wholesale; unit substations-wholesale; boilers, power: industrial-wholesale; boilers, steam and hot water heating-wholesale; burners, fuel oil and distillate oil-wholesale; oil burners-wholesale)

19. Wholesale trade-nondurable goods (groups 5111-5143, 5145, 5147-5149, 5192, 5199 except for cats-wholesale; charcoal-wholesale; dogs-wholesale; fish, tropical-wholesale; furs, dressed-wholesale; greases, animal and vegetable-wholesale; ice, manufactured or natural-wholesale, leather and cut stock-wholesale; linseed oil-wholesale; oils, except cooking: animal and vegetable-wholesale; oilseed cake and meal-wholesale; rubber, crude-wholesale; sawdust-wholesale; vegetable cake and meal-wholesale; wigs-wholesale; worms-wholesale)

C. **Uses accessory to permitted uses:**

1. Uses and structures that are accessory and incidental to uses permitted as of right in the BPPUD, including but not limited to storage, warehousing, distribution of paper, ink, printing chemicals, aluminum and other plates, and other materials and products used or useful in connection with permitted uses.

2. Caretaker's residence, subject to Section 5.03.05 of the LDC.

Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

3. Eating places, including coffee shops. No alcoholic beverage sales shall be permitted.

4. For business park uses, retail sales and/or display areas as accessory to the principal use shall not to exceed an area greater than 20 percent of the gross floor area of the permitted principal use and is further subject to retail standards for landscaping, parking and open space.

5. Other comparable uses not specified as deemed appropriate by the Board of Zoning Appeals.

## 3.4 Building Development Standards

A. Minimum buildable area: 20,000 square feet.

B. Minimum buildable lot width: 100 feet.

C. Minimum yard requirements for principal and accessory structures:

1. Front yard:
   a. Immokalee Road: Fifty feet (50')
   b. Internal roads: Twenty-five feet (25')

2. Side yard: Ten feet (10')

3. Rear yard: Ten feet (10')

4. From PUD boundary: Fifty feet (50')

5. Preserves:
   a. Principal structure: Twenty-five feet (25')
   b. Accessory structure: Ten feet (10')

6. For that portion of a building exceeding fifty (50') feet in height that portion shall be required to maintain a minimum setback from the property line at a ratio of two horizontal feet for each one foot of vertical height.

7. Lake/water management (from control elevation):
   a. Principal structure: Twenty feet (20')
   b. Accessory structure: Ten feet (10')

Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

8. Distance between structures: If there is a separation between any two principal structures on the same parcel, said separation shall be a minimum of 15 feet or a distance equal to that required by applicable fire codes.

9. Maximum height of structures: Seventy-five feet (75'), zoned height as measured from required minimum flood elevation in Parcel A and twenty –five feet (25') zoned height as measured from required minimum flood elevation for Parcel B. The Naples Daily News print press portion of the building shall be limited to 75 feet in height above minimum flood elevation. That portion of the building shall be designed with a flat roof. No antennae, satellite dishes nor other encroachments shall be allowed above the 75 foot maximum building height. For purposes of this BPPUD, the measurement of actual height shall be measured as that for zoned height.

10. Minimum floor area: One thousand square feet.

11. The development of Parcel B shall be subject to the following limitations:

    a. No outside lighting on the southern side of any building constructed on Parcel B, and no lighting of the parking lot except to the extent required by the County. To the extent parking lot lighting is required, cutoff type fixtures or shields will be used to direct the light downward onto the parking lot.

    b. Any loading facility will be located only on the northern facing portion of any building, and building height is limited to twenty-five (25) feet above minimum required flood elevation.

    c. No outside storage or outside fabrication is permitted on Parcel B.

12. Development of Parcel A shall be subject to the following limitations:

    a. The only outside architectural lighting allowed will be on the north side of the building.

Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

b. No signage, other than directional, shall be located on the south side of the building.

c. No lighting or signage shall be placed on the 75 foot portion of the Naples Daily News building.

d. All building and parking lot lighting shall consist of "cutoff" type fixtures or shields to direct the lighting downward onto the parking lot. No lighting fixtures illuminating the parking area shall be located on poles more than 20 feet in height.

13. Any permanent generator shall be required to be housed in an enclosed area in order to reduce noise emissions.

Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

# SECTION IV

# PRESERVE
# "P"

## 4.1 PURPOSE

The purpose of this Section is to identify permitted uses and development standards for the area within the Naples Daily News BPPUD designated on the Master Plan as "P", Preserve.

## 4.2 GENERAL DESCRIPTION

Areas designated as "P", Preserve on the Master Plan are designed to provide conservation and may accommodate passive recreation and water management uses and functions. The acreage of the Preserve area is indicated on the Master Plan.

## 4.3 PERMITTED USES AND STRUCTURES

No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, which is inconsistent with the conservation easements recorded in O.R. Book 2089, Page 0831, O.R. Book 2107, Page 1701, O.R. Book 2260, Page 1869, of the Public Records of Collier County, Florida, the drainage easement recorded at O.R. Book 2414, Page 3480 and other than the following:

A. Permitted Principal Uses and Structures

1. Boardwalks, benches, nature trails and shelters, as long as any clearing required to facilitate these uses does not impact the minimum required native vegetation.

2. Water management structures in wetland preserves.

3. Uses and structures permitted by the conservation easements and drainage easement referenced above.

4. Any other conservation use in accordance with Section 3.05.07 of the LDC which is comparable in nature with the foregoing uses and which the Environmental Services Department Staff determines to be compatible in the Preserve Area. Other uses of a comparable nature

Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

and not administratively permitted within preserves shall require the approval by the Board of Zoning Appeals.

## 4.4 DEVELOPMENT STANDARDS

A. Maximum height of structures: Twenty-five (25) feet.

B. Building setbacks:
   1. Principal structures:Twenty-five (25) feet
   2. Accessory structures:Ten (10) feet

## 4.5 LANDSCAPE BUFFERS

A. Where Chapter 4 of the LDC requires landscape buffers, and preserve areas are shown, landscape buffers shall consist of preserve vegetation, when demonstrated that it meets or exceeds requirements of Chapter 4 of the LDC. Landscape buffers shall remain exotic free. All code requirements must be met regarding preserves acting as landscape buffers.

Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

# SECTION V

# OPEN SPACE
# "OS"

## 5.1 PURPOSE

The purpose of this Section is to identify permitted uses and development standards for the areas within the Naples Daily News BPPUD designated on the conceptual master plan as "OS", open space.

## 5.2 GENERAL DESCRIPTION

Areas identified as "OS" open space on the conceptual master plan are designed to provide usable open space, recreation, water management, and other open space and recreational uses.

## 5.3 PERMITTED USES AND STRUCTURES.

A. Permitted Principal Uses and Structures

1. Lakes, water management facilities, preserves and water control structures.

2. Boardwalks, benches, nature trails, bridges, cart paths, golf course, and related facilities. Golf course related improvements shall not be expanded; however, they may be reconstructed and maintained in accordance with the conservation easements and drainage easement referenced in Section 4.3 of this BPPUD.

3. Any other recreation or open space use consistent with recreational or open space uses permitted by right in the "CON" Conservation District of the LDC.

## 5.4 DEVELOPMENT STANDARDS

A. Maximum Height: Twenty-five (25) feet.

B. Setbacks: Zero (0) feet.

Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

# SECTION VI

# GENERAL DEVELOPMENT COMMITMENTS

## 6.1 PURPOSE

The purpose of this Section is to set forth the development commitments for the Naples Daily News BPPUD project.

## 6.2 PUD MASTER DEVELOPMENT PLAN

A. All facilities shall be constructed in accordance with the final site development plans, final subdivision plans and all applicable State and Local laws, codes and regulations except where specifically noted.

B. The BPPUD Master Plan (Exhibit A) is an illustration of the conceptual development plan. Tracts and boundaries shown on the plan are conceptual and shall not be considered final. Actual tract boundaries shall be determined at the time of preliminary subdivision plat or site development plan approval.

C. All necessary easements, dedications, or other instruments shall be granted to insure the continued operation and maintenance of all utilities.

D. The developer will implement the concept of "parklets," i.e., small-scale opportunities for pedestrian seating and/or visual nodes of interest incorporated adjacent to buffers, buildings, other open space areas on the site, and pedestrian connections. A parklet shall be defined as a garden space incorporating a minimum of three of the following elements: decorative pavers, two canopy/accent trees, site furniture (such as 5' bench, trash receptacle/ash urn, etc.), pedestrian pathway and/or water feature/sculpture. The location is intended to provide a visual node of interest within the project site and/or create a cue for pedestrian ingress/egress. The developer shall provide a minimum of 3 parklets, within the business park at the general locations shown on the conceptual park / parklet plan (Exhibit E). Parklets shall vary in size; however, the minimum size for any single parklet shall be two hundred (200) square feet, and the minimum aggregate size of the parklets shall be fifteen hundred (1,500) square feet.

In addition, one "linear park" shall be developed along Immokalee Road, expanding the buffer into the project site and it may incorporate such key

Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

features/options as: sculpture, water features, decorative pots, seat walls and/or enhanced plantings (palms/trees/shrubs/groundcovers). This park may become "architectural" in layout, offering a transition between the structure's architecture and the buffer along Immokalee Road frontage and is more reminiscent of an urban setting.

## 6.3 ENGINEERING

A. Except as noted herein, all project development will occur consistent with the LDC.

## 6.4 UTILITIES

A. Water distribution, sewage collection and transmission systems shall be constructed throughout the project by the developer. Central water and wastewater service will be provided by the appropriate governmental and/or private utility provider. Appropriate utility easements will be dedicated to the utility provider in accordance with the procedure adopted by the utility provider.

B. Upon completion, the utility facilities shall be tested to insure that they meet Collier County's utility construction requirements in effect at the time construction plans are approved.

C. Utilities shall be designed in accordance with the Collier County Utilities Ordinance No. 04-51.

## 6.5 WATER MANAGEMENT

A. The project shall be designed and permitted in accordance with standards of the South Florida Water Management District.

B. The lake originally approved as Lake L-1, Creekside Unit I Plat, shall continue to be operated and maintained in accordance with the approved plat and approved South Florida Water Management District Permit.

C. Prior to discharge into the existing southerly lake within the project, stormwater shall be pretreated to applicable government standards and a water management maintenance easement shall be granted for the southerly lake to the Pelican Marsh Community Development District (CDD). The developer shall not seek to permit any interconnection, overflow or discharge from the project's southerly lake into the CDD's water management system, consistent with the Memorandum of Johnson

Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

Engineering, Inc. dated July 19, 2006, a copy of which is attached hereto as Exhibit G.

D. Prior to the County issuing a final site development plan for any portion of the project, developer shall enter into an agreement with the Pelican Marsh CDD that shall include provisions for the CDD to review water management plans and for the owner of the property within this BPPUD to pay the maintenance costs for the project's southern water management lake to the CDD.

E. The projecs conceptual water management system has been described in the water management report provided in the rezone application materials. A copy of the conceptual water management plan is included in the BPPUD Document as Exhibit F.

## 6.6 ENVIRONMENTAL

A. An exotic vegetation removal, monitoring and maintenance plan for the site shall be submitted to Environmental Services Staff for review and approval prior to final site plan/construction plan approval. A schedule for exotic vegetation removal shall be submitted with the above-mentioned plan.

B. A minimum of 15 percent of the site's native vegetation shall be retained or replanted in accordance with the LDC. For this site a minimum of 0.37± acres of native vegetation shall be retained on-site. The BPPUD shall include approximately 2.6± acres of preserve area as shown on the Conceptual Master Plan.

C. Areas subject to previously recorded conservation easements shall be maintained in accordance with the applicable conservation easement.

D. This BPPUD shall be consistent with environmental sections of the GMP Conservation and Coastal Management Element and the LDC at the time of final development order approval.

E. This BPPUD shall comply with the guidelines of USFWS and FFWCC for impacts to protected species. A Habitat Management Plan for those species shall be submitted to environmental review staff for review and approval prior to site/plan approval.

F. All conservation areas shall be designated as tracts/easements with protective covenants. Easements shall be dedicated on the plat to the

Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

homeowner's association for ownership and maintenance and to Collier County with no responsibility for maintenance.

G. All Category I invasive exotic plants, as defined by the Florida Exotic Pest Plant Council, shall be removed from within preserve areas and subsequent annual removal of these plants (in perpetuity) shall be the responsibility of the property owner.

H. A Preserve Area Management Plan shall be provided to Environmental Staff for approval prior to site/construction plan approval identifying methods to address treatment of invasive exotic species, fire management, and maintenance.

I. All approved agency (SFWMD, ACOE, FFWCC) permits shall be submitted prior to final site plan/ construction plan approval.

## 6.7 TRANSPORTATION

The development of this PUD Master Plan shall be subject to and governed by the following conditions:

A. All traffic control devices, signs, pavement markings and design criteria shall be in accordance with Florida Department of Transportation (FDOT) Manual of Uniform Minimum Standards (MUMS), current edition, FDOT Design Standards, current edition, and the Manual on Uniform Traffic Control Devices (MUTCD), current edition. All other improvements shall be consistent with and as required by the LDC.

B. Arterial level street lighting shall be provided at all access points. Access lighting must be in place prior to the issuance of the first Certificate of Occupancy (CO).

C. External access points, including both driveways and proposed streets, shown on the BPPUD Master Plan are considered to be conceptual. Nothing depicted on any such Master Plan shall vest any right of access at any specific point along any property frontage. All such access issues shall be approved or denied during the review of required subsequent site plan or final plat submissions. All such access shall be consistent with the Collier County Access Management Policy (Res. No. 01-247), as it may be amended from time to time, and with the Collier County Long-range Transportation Plan. The number of access points constructed may be less than the number depicted on the Master Plan; however, no additional

Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

external access points shall be considered unless a PUD amendment is approved.

D. Site-related improvements (as opposed to system-related improvements) necessary for safe ingress and egress to this project, as determined by Collier County, shall not be eligible for impact fee credits. All required improvements shall be in place and available to the public prior to the issuance of the first CO.

E. Road impact fees shall be paid in accordance with Collier County Ordinance No. 01-13, as amended, and the LDC, as it may be amended.

F. All work within Collier County rights-of-way or public easements shall require a right-of-way permit.

G. All proposed median opening locations shall be in accordance with the Collier County Access Management Policy (Resolution No. 01-247), as it may be amended, and the LDC, as it may be amended. Collier County reserves the right to modify or close any median opening existing at the time of approval of this PUD which is found to be adverse to the health, safety and welfare of the public. Any such modifications shall be based on, but are not limited to, safety, operational circulation, and roadway capacity.

H. Nothing in any development order shall vest a right of access in excess of a right in/right out condition at any access point. Neither will the existence of a point of ingress, a point of egress or a median opening, nor the lack thereof, be the basis for any future cause of action for damages against the County by the developer, its successor in title, or assignee.

I. All private internal roads, driveways, alleys, pathways, sidewalks and interconnections to adjacent developments shall be operated and maintained by an entity created by the developer and Collier Country shall have no responsibility for maintenance of any such facilities.

J. The developer shall make a proportionate fair share payment toward future signalization and intersection improvements of Creekside Boulevard at the U.S. 41 and Goodlette-Frank Road intersection if and when warranted.

K. The BPPUD Master Plan depicts a potential pedestrian interconnection with the adjacent property to the west, the developer, or assigns, shall assure that these interconnections shall accommodate the perpetual use

Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

of such access by incorporating the appropriate language into the applicable development covenants, and SDP or plat.

L. Site-related improvements necessary for safe ingress and egress to this project, as determined by Collier County, shall not be eligible for impact fee credits. All required improvements shall be in place and available to the public prior to the issuance of the first CO or when warranted by the County.

M. The developer shall provide separate proportionate share payments for development of Parcels A and B not to exceed 15% of the road impact fees for development of Parcels A and B to address congestion management strategies in the Northwest Transportation Concurrency Management Area (TCMA), which will include the funding for intersection improvements and enhancements to transit and pedestrian facilities. The proportionate share payments shall include a credit in the amount of $75,000 for the installation of the SCOOT system at the U.S. 41 and Immokalee Road intersection and the next two easterly signalized intersections on Immokalee Road, a credit for the extension of Creekside Way to Creekside Boulevard shall be provided. The credit will be applied only to the 15% proportionate share payment above the current road impact fee.

N. Prior to the issuance of the first CO for the Parcel A, Creekside Way shall be extended south to Creekside Boulevard. If the land and construction costs of the Creekside Way extension exceed the proportionate share payment due for development of Parcel A, the excess shall be applied as a credit for the proportionate share payment due for development of Parcel B. Staff shall permit the right-of-way cross-section for Creekside Way to vary from typical LDC standards in order to accommodate the roadway extension due to the presence of existing utilities located within the Creekside Commerce Park PUD.

O. The appropriate department of the Naples Daily News shall instruct general delivery vehicles to utilize Creekside Boulevard between the hours of 7:00 a.m. and 10:00 p.m. daily.

P. Ingress and egress by delivery trucks to the Naples Daily News building shall be restricted to use of the driveway connection to the Granada Shoppes between the hours of 10:00 p.m. and 7:00 a.m. daily. This access shall be gated and shall be available for use by Naples Daily News delivery vehicles during the hours of 10:00 p.m. and 7:00 a.m. Northbound delivery vehicles shall turn east on Immokalee Road

Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

## 6.8 AFFORDABLE HOUSING

Collier County and the developer of the Naples Daily News Business Park BPPUD have cooperated to address affordable housing impacts associated with the project. The developer, or its successors and assigns, shall make a financial contribution to Collier County in the amount of $.50 per square foot of press plant (non-office) building area constructed within the BPPUD. This contribution shall be paid within seven days of the issuance of a CO for the improvement receiving the CO. The payment of this contribution shall be credited to the project's obligations to pay affordable or workforce housing fees that may be adopted in the future by Collier County.

Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)






## SITE AREA

| | |
|---|---|
| BUSINESS PARK | = 23.86± ACRES |
| OPEN SPACE | = 8.75± ACRES |
| PRESERVE | = 2.63± ACRES |
| TOTAL SITE | = 35.24± ACRES |

MAXIMUM GROSS FLOOR AREA
400,000 SQUARE FEET
PARCEL A 365,000 SQUARE FEET
PARCEL B 35,000 SQUARE FEET

NOTES:

1. THIS PLAN IS CONCEPTUAL IN NATURE AND IS SUBJECT TO MINOR MODIFICATION DUE TO AGENCY PERMITTING REQUIREMENTS.
2. ALL ACREAGES ARE APPROXIMATE AND SUBJECT TO MODIFICATION AT THE TIME OF SDP OR PLAT APPROVAL.

LEGEND

OPEN SPACE

PRESERVE

NAPLES DAILY NEWS BPPUD

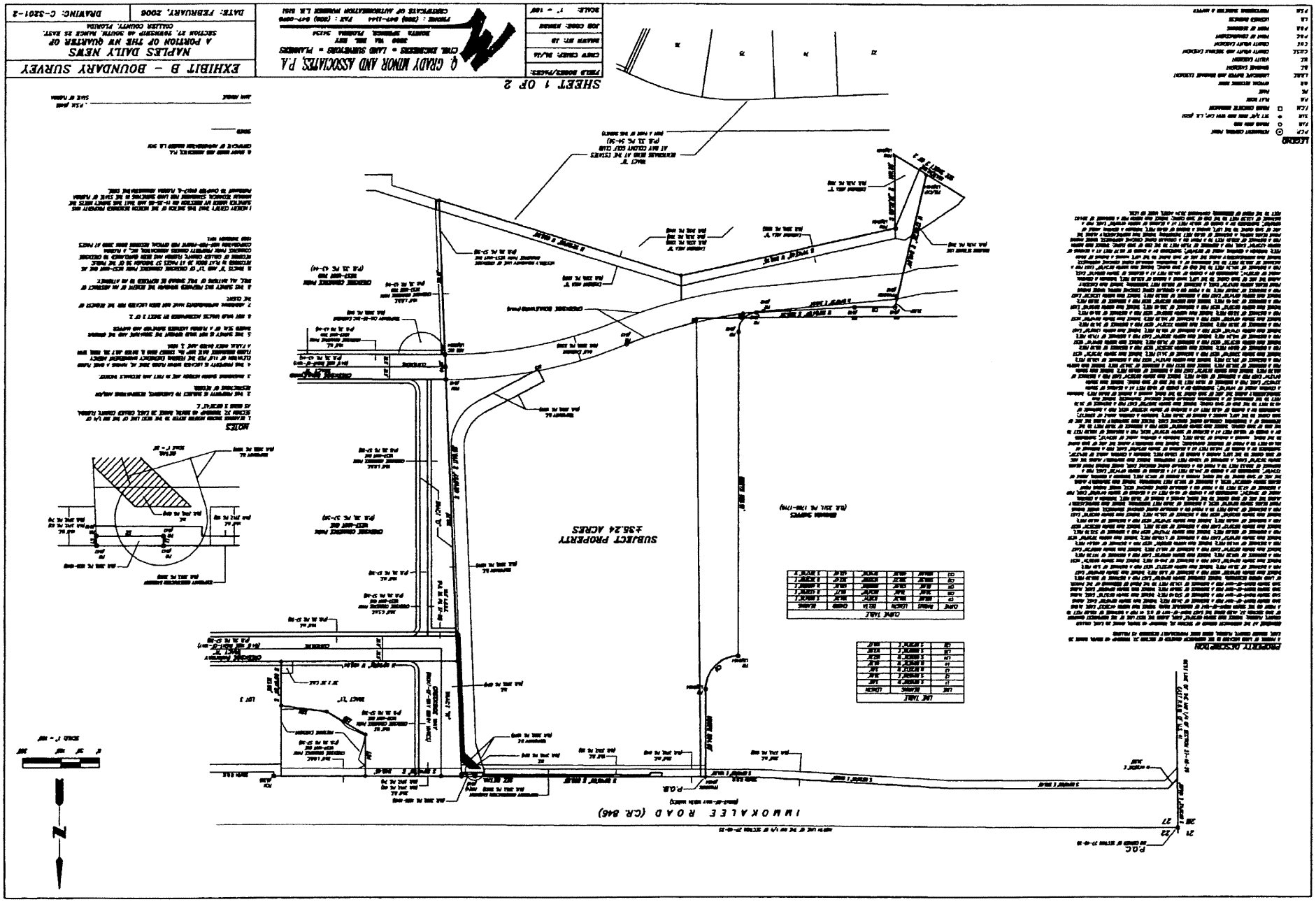
EXHIBIT A

CONCEPTUAL MASTER PLAN

Q. GRADY MINOR AND ASSOCIATES, P.A.
CIVIL ENGINEERS • LAND SURVEYORS • PLANNERS

DESIGNED BY: B.A.V.
DRAWN BY: T.M.
APPROVED: G.M.K.
DATE: 7/8/21
JOB CODE NAME:

OWNER/DEVELOPER


EXHIBIT B – BOUNDARY SURVEY
NAPLES DAILY NEWS
A PORTION OF THE NE QUARTER OF
SECTION 27, TOWNSHIP 48 SOUTH, RANGE 25 EAST,
COLLIER COUNTY, FLORIDA
DATE: FEBRUARY, 2006
DRAWING: C-3201-2
Q. GRADY MINOR AND ASSOCIATES, P.A.
CIVIL ENGINEERS • LAND SURVEYORS • PLANNERS
3800 15th AVE. SW.
NAPLES, FLORIDA 34116
PHONE: (239) 597-1111 FAX: (239) 597-0910
CERTIFICATE OF AUTHORIZATION NUMBER L.B. 3161
SHEET 1 OF 2
SUBJECT PROPERTY
±35.24 ACRES
IMMOKALEE ROAD (CR 846)
NOTES
LEGEND
PROPERTY DESCRIPTION
CURVE TABLE
LINE TABLE
SCALE: 1" = 100'
N

| LINE TABLE | | |
|---|---|---|
| LINE | BEARING | LENGTH |
| L1 | S 89°59'56" W | 109.62' |
| L2 | S 89°59'56" W | 65.46' |
| L3 | S 89°59'56" W | 109.76' |
| L4 | S 89°59'56" W | 31.92' |
| L5 | S 89°59'56" W | 36.46' |
| L6 | S 89°59'56" W | 31.76' |
| L7 | S 89°59'56" W | 109.76' |
| L8 | S 89°59'56" W | 34.12' |
| L9 | S 89°59'56" W | 65.46' |
| L10 | S 89°59'56" W | 109.76' |
| L11 | S 89°59'56" W | 65.46' |
| L12 | S 89°59'56" W | 24.98' |
| L13 | S 89°59'56" W | 109.76' |
| L14 | S 89°59'56" W | 109.76' |
| L15 | S 89°59'56" W | 109.76' |
| L16 | S 89°59'56" W | 24.98' |
| L17 | S 89°59'56" W | 31.76' |
| L18 | S 89°59'56" W | 109.76' |
| L19 | S 89°59'56" W | 109.76' |
| L20 | S 89°59'56" W | 65.46' |
| L21 | S 89°59'56" W | 109.76' |
| L22 | S 89°59'56" W | 109.76' |
| L23 | S 89°59'56" W | 109.76' |
| L24 | S 89°59'56" W | 109.76' |
| L25 | S 89°59'56" W | 109.76' |
| L26 | S 89°59'56" W | 109.76' |

| CURVE TABLE | | | | | |
|---|---|---|---|---|---|
| CURVE | RADIUS | LENGTH | DELTA | CHORD | BEARING |
| C1 | 25.00' | 39.27' | 90°00'00" | 35.36' | S 44°59'56" E |
| C2 | 462.50' | 726.62' | 90°00'00" | 654.16' | S 44°59'56" E |
| C3 | 1,196.00' | 187.85' | 09°00'00" | 187.66' | S 85°29'56" E |
| C4 | 25.00' | 39.27' | 90°00'00" | 35.36' | S 44°59'56" E |
| C5 | 25.00' | 39.27' | 90°00'00" | 35.36' | S 45°00'04" W |
| C6 | 25.00' | 39.27' | 90°00'00" | 35.36' | S 45°00'04" W |
| C7 | 25.00' | 39.27' | 90°00'00" | 35.36' | S 45°00'04" W |

LEGEND

| | | |
|---|---|---|
| P.C.P. | ⊙ | PERMANENT CONTROL POINT |
| F.I.R. | ○ | FOUND IRON ROD |
| S.I.R. | ● | SET 5/8" IRON ROD WITH CAP, L.B. 5434 |
| F.C.M. | □ | FOUND CONCRETE MONUMENT |
| P.B. | | PLAT BOOK |
| PG. | | PAGE |
| O.R. | | OFFICIAL RECORDS BOOK |
| L.B.S.E. | | LANDSCAPE BUFFER AND DRAINAGE EASEMENT |
| B.E. | | DRAINAGE EASEMENT |
| U.E. | | UTILITY EASEMENT |
| C.W.S.E. | | CANAL WATER AND SEWAGE EASEMENT |
| C.M.E. | | CANAL MAINTENANCE EASEMENT |
| L.B. | | LICENSED BUSINESS |
| P.S.M. | | PROFESSIONAL SURVEYOR & MAPPER |

NOTES

1. NOT VALID UNLESS ACCOMPANIED BY SHEET 1 OF 2

SHEET 2 OF 2

| | |
|---|---|
| FIELD BOOKS/PAGES: | |
| CREW CHIEF: BL/JA | |
| DRAWN BY: JD | |
| JOB CODE: NAN06 | |
| SCALE: 1" = 100' | |

Q. GRADY MINOR AND ASSOCIATES, P.A.
CIVIL ENGINEERS • LAND SURVEYORS • PLANNERS
3800 VIA DEL REY
BONITA SPRINGS, FLORIDA 34134
PHONE: (239) 947-1144 FAX: (239) 947-0370
CERTIFICATE OF AUTHORIZATION NUMBER L.B. 5434

EXHIBIT B – BOUNDARY SURVEY

NAPLES DAILY NEWS

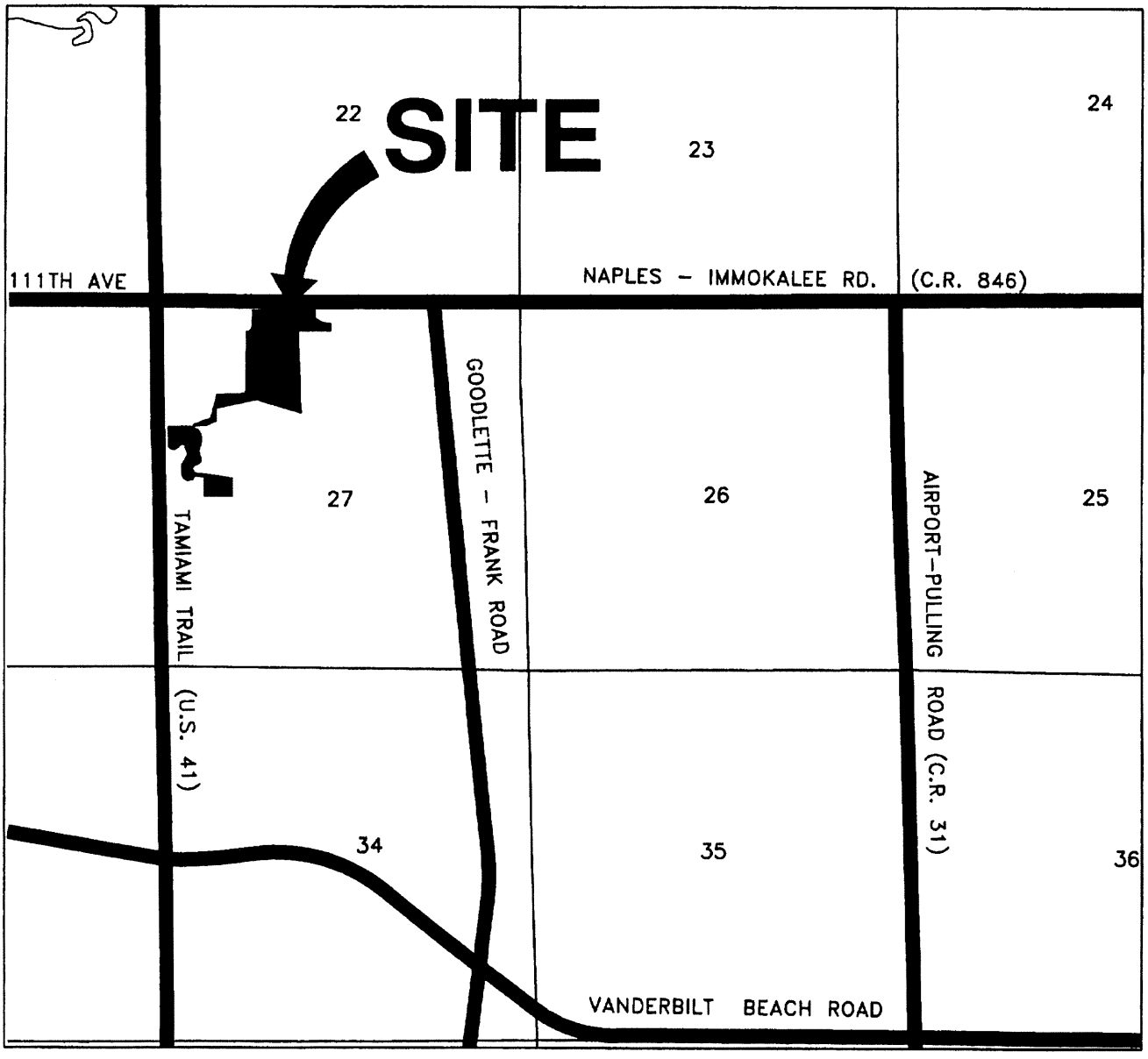
A PORTION OF THE NW QUARTER OF
SECTION 27, TOWNSHIP 48 SOUTH, RANGE 25 EAST,
COLLIER COUNTY, FLORIDA

DATE: FEBRUARY, 2006 | DRAWING: C-3201-2

# NAPLES DAILY NEWS BPPUD

EXHIBIT C
LOCATION MAP

LOCATED IN SECTION 27, TOWNSHIP 48, RANGE 25,
COLLIER COUNTY, FLORIDA




PREPARED BY
Q. GRADY MINOR AND ASSOCIATES, P.A.
CIVIL ENGINEERS • LAND SURVEYORS • PLANNERS

Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

NAPLES DAILY NEWS BPPUD

EXHIBIT D
DEVIATIONS

A. A deviation from LDC, Section 4.06.02.C.5 requirement to construct a twenty-five foot (25') wide landscape buffer along Immokalee Road to provide a twenty-five foot (25') wide landscape buffer, without a six foot (6') high wall, berm or wall and berm combination.

The deviation from the requirement to provide a 6' high wall or berm within the 25' wide buffer is justified given the limited uses proposed in the Business Park and the project's location adjacent to an industrial park and retail center. Providing a landscaped buffer will be more consistent with the landscaping treatment along this corridor of Immokalee Road.

The project will be designed in compliance with the County's Architectural Standards and compliance with these standards does not warrant the creation of an opaque buffer treatment

B. A deviation from LDC Section 4.02.13.G and Section 4.06.02.C.5, which requires a business park to provide a 25' wide landscape buffer around the entire boundary of a business park, to permit the following buffers:

1. East – 25' wide buffer adjacent Creekside Commerce Park, without a wall or berm.

2. West – 25' wide buffer adjacent to Granada Shoppes PUD, without a wall or berm.

3. South – the 25' wide existing buffer and berm adjacent to the Pelican Marsh PUD shall be maintained for that portion of the Naples Daily News BPPUD located west and south of the existing berm and designated as open space, preserve, or lake area and supplemental plantings shall be consistent with Section 2.9.D.

The deviations from the required 25' wide buffer with a 6' high berm or wall are justified given the locations of the proposed Naples Daily News BPPUD, adjacent to the developed industrial uses of Creekside Commerce Park PUD and the existing retail shopping center, Granada Shoppes PUD. These projects are non-residential uses and have existing buffers in place. An existing berm and landscape buffer exists along a majority of the project's southern boundary, which meets the intent of the buffers required for a business park. That portion of the Naples Daily News BPPUD which is designated as preserve and open space abuts adjacent Pelican Marsh PUD



Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

tracts having similar open space uses, which do not warrant the strict 25' wide buffer with opacity to 6' in height for areas limited to open space and preserve uses. The proposed alternative buffers will provide appropriate buffering between the proposed light industrial uses and the existing adjacent industrial and retail uses.

C. A deviation from LDC Section 4.06.02.A.3, Buffer Requirements.

A request to permit required landscape buffers and signs within recorded water and wastewater easements consistent with grant of easement restrictions as recorded in O.R. Book 2712, Pages 0624 – 0626, and O.R. Book 2712, Pages 0610 – 0612.

This deviation is warranted due to the previously granted easements to Collier County which permit landscaping within recorded easements, subject to limitations found within the recorded easement agreements. Copies of the recorded easements have been attached for reference.

Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

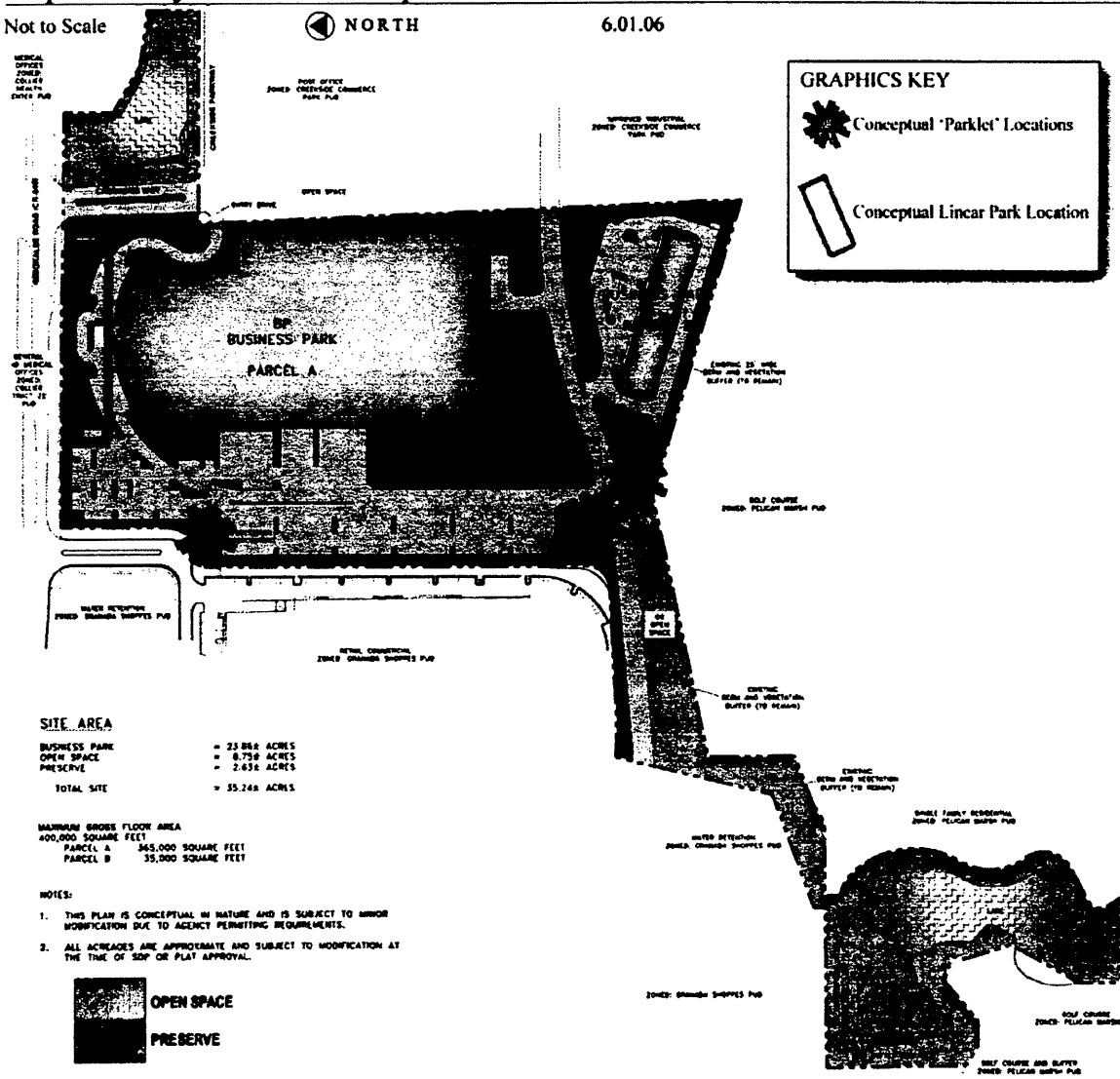
# Naples Daily News - Conceptual Park / Parklet Plan

Not to Scale

NORTH

6.01.06

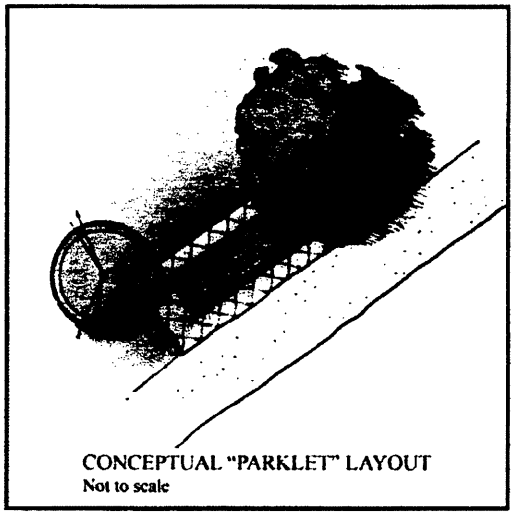
QGM DESIGN




GRAPHICS KEY

Conceptual 'Parklet' Locations

Conceptual Linear Park Location



CONCEPTUAL "PARKLET" LAYOUT
Not to scale

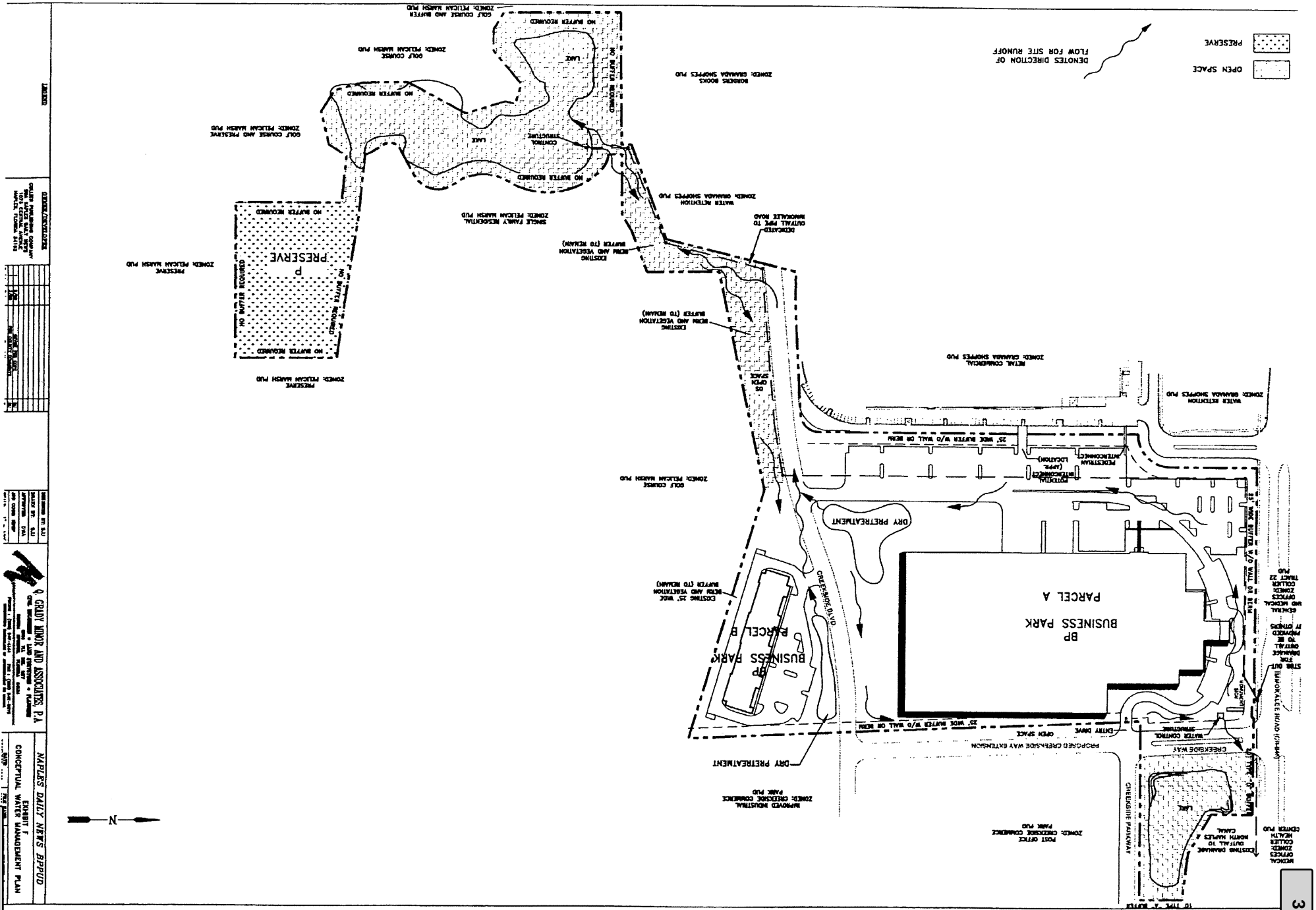
EXHIBIT E

Q.GRADY MINOR & ASSOCIATES, P.A.





Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)




Q. GRADY MINOR AND ASSOCIATES, P.A.

NAPLES DAILY NEWS BPPUD

CONCEPTUAL WATER MANAGEMENT PLAN

EXHIBIT F

Packet Pg. 383

3.D.f

Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

JOHNSON
ENGINEERING

TO: **Wayne Arnold**

DATE: **July 19, 2006**

FROM: **Chris Hagan**

RE: **Naples Daily News Business Park – Water Management**

This memorandum is submitted as a follow-up to correct and clarify the proposed water management system for the referenced project. In particular, there is some confusion as to how the interconnection between the Pelican Marsh CDD water management lake (Lake 43) and the rest of the Naples Daily News Business Park drainage works. Lake 43 is totally isolated from the rest of the water management system for the Pelican Marsh CDD. It is the intention of the Naples Daily News Business Park water management system to utilize this isolated lake for storage and attenuation of storm water during rainfall events. This isolated lake has a perimeter berm that holds all the water on the site. This project is designed to have Lake 43 discharge back through the Naples Daily News Business Park out to the north Naples canal.

The Naples Daily News Business Park system is not designed to discharge into the adjoining wetland or anywhere within the Pelican Marsh water management system. Only during extreme high water events (exceeding a 25- year storm) could this isolated system be overtopped and the waters mixed. In that event, it is equally likely that water could flow from or into the Naples Daily News water management system. These are independent water management systems and confirmation of the separation will be documented as we proceed with final plan design, permitting and construction of the project.

I apologize for any confusion regarding this, but these are two independent water management systems currently, and will remain as such, throughout the designing, permitting, construction and operation of the Naples Daily News Business Park.

Should you have any further comments or questions regarding this, please contact me.

Copy: Dave Borden

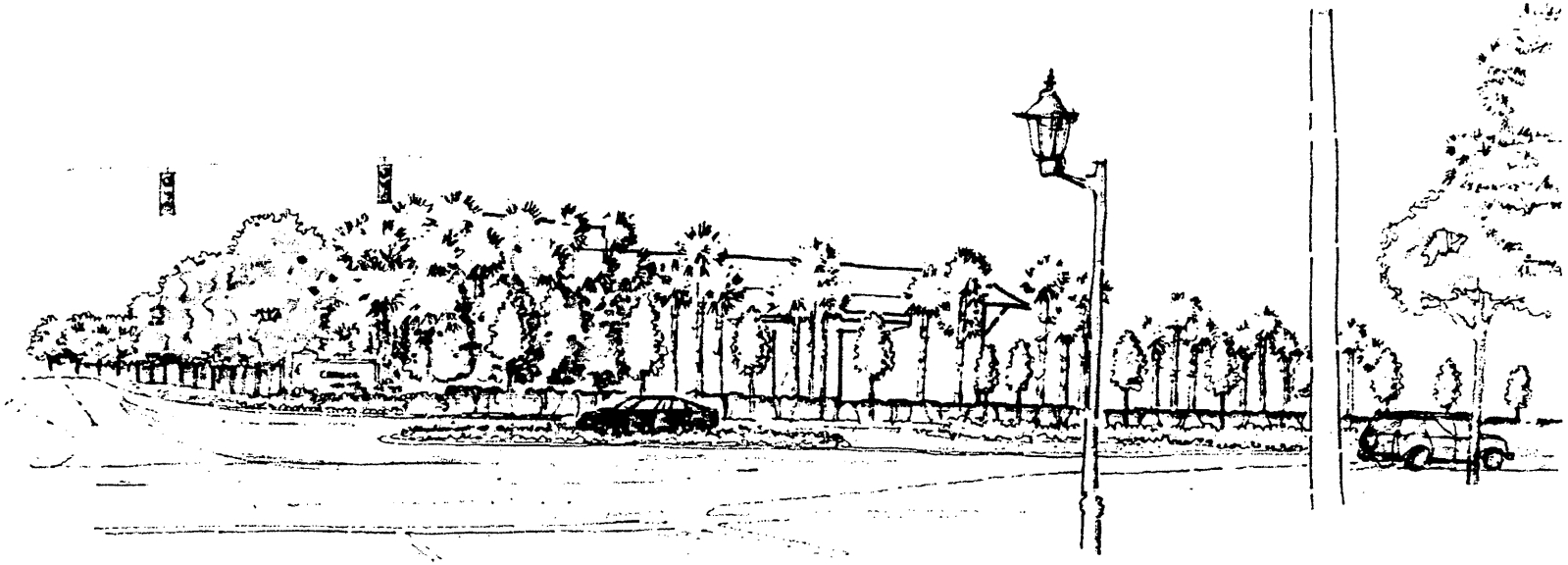
*I:\10000\2006\071906 cdh to Wayne Arnold Naples Daily News.doc*

2350 Stanford Court ▪ Naples, Florida 34112
(239) 434-0333 ▪ Fax (239) 434-9320

Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

NAPLES DAILY NEWS

Date: 10.11.06



CONCEPTUAL VIEW FROM IMMOKALEE ROAD

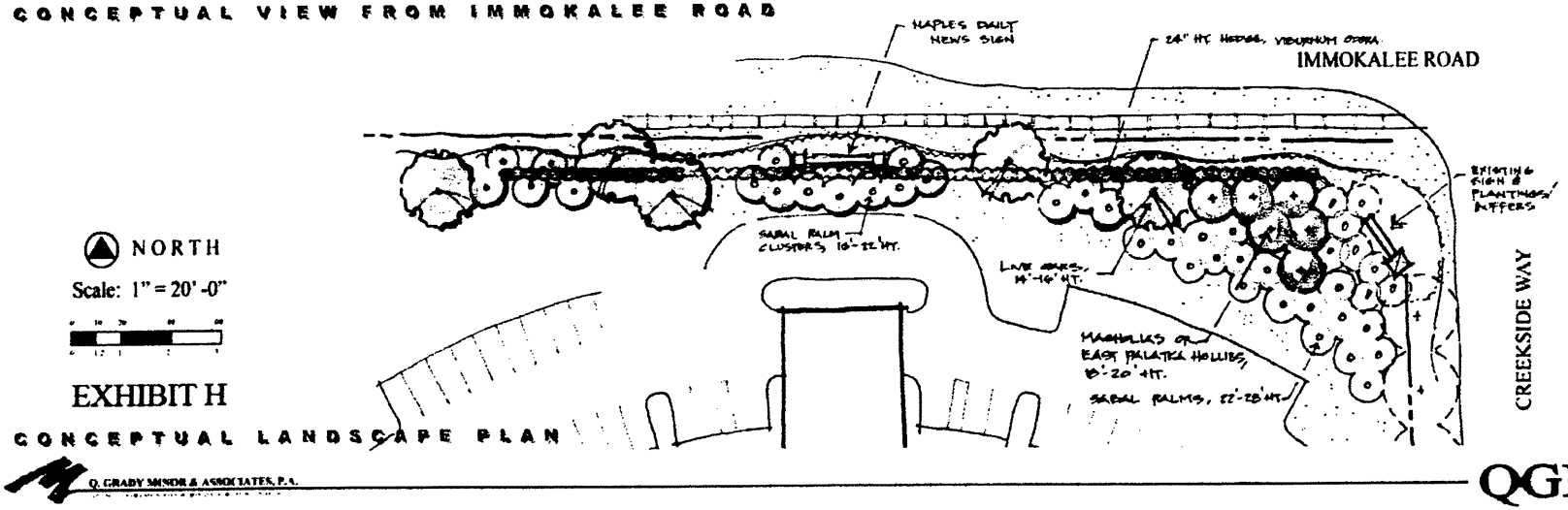



EXHIBIT H

CONCEPTUAL LANDSCAPE PLAN

Q. GRADY MINOR & ASSOCIATES, P.A.

QGM DESIGN





Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

STATE OF FLORIDA)

COUNTY OF COLLIER)

I, DWIGHT E. BROCK, Clerk of Courts in and for the Twentieth Judicial Circuit, Collier County, Florida, do hereby certify that the foregoing is a true and correct copy of:

**ORDINANCE 2006-49**

Which was adopted by the Board of County Commissioners on the 24th day of October, 2006, during Regular Session.

WITNESS my hand and the official seal of the Board of County Commissioners of Collier County, Florida, this 2nd day of November, 2006.

DWIGHT E. BROCK
Clerk of Courts and Clerk
Ex-officio to Board of
County Commissioners

By: Teresa Dillard, DC
Deputy Clerk

Attachment: Attachment E - Back-Up Documents (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliercountyfl.gov

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

# Hybrid Virtual Quasi-Judicial Public Hearing Waiver

## Emergency/Executive Order 2020-04
## Hearing of the Collier County Hearing Examiner

For Petition Number(s): CUD-PL-20210000192

Regarding the above subject petition number(s), NCH Healthcare System, Inc. (Name of Applicant) elects to proceed during the declared emergency with hybrid virtual public hearing of the Collier County Hearing Examiner, and waives the right to contest any procedural irregularity due to the hybrid virtual nature of the public hearing.

Name: PHILIP DUTCHER, COO
NCH HEALTHCARE SYSTEM, INC.

Date: 05/12/2021

Signature: Philip C. Dutcher

☑ Applicant*

☐ Legal Counsel to Applicant

* This form must be signed by either the Applicant (if the applicant is a corporate entity, this must be an officer of the corporate entity) or the legal counsel to the Applicant.

Attachment: Attachment F - Hybrid Meeting Waiver (signed) (16030 : PL20210000192 CPUD Naples Daily News BPPUD NCH)