

COLLIER COUNTY
Collier County Hearing Examiner



AGENDA

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

March 11, 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 Alexandra.Casanova@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. PL20190002183 ASW– Hammock Park Apartments, LLC, requests a 137+/- foot waiver from the minimum required separation of 500 feet between facilities with fuel pumps for development of an automobile service station located at the northeast corner of CR 951 and Rattlesnake Hammock Road with a resulting separation distance of approximately 363 feet from the property line of an existing RaceTrac service station pursuant to Land Development Code Section 5.05.05.B of the Land Development Code. The property is in Section 14, Township 50 South, Range 26 East, Collier County, Florida. [Coordinator: Timothy Finn, Principal Planner] Commissioner District 1**
 - B. **PETITION NO. PL20200002057 VA-Request for a variance from Section 4.02.03.D of the Land Development Code to reduce the required accessory structure side setback from 30 feet to 12.5 feet for a tennis court on Lot 5, Block G, Subdivision of Blocks E, F, G and H in Pine Ridge Subdivision, also known as 132 North Street, in Section 10, Township 49 South, Range 25 East, Collier County, Florida. [Coordinator: John Kelly, Senior Planner] Commissioner District 2**
4. **Other Business**
5. **Public Comments**
6. **Adjourn**

03/11/2021

COLLIER COUNTY
Collier County Hearing Examiner

Item Number: 3.A

Item Summary: PETITION NO. PL20190002183 ASW– Hammock Park Apartments, LLC, requests a 137+/- foot waiver from the minimum required separation of 500 feet between facilities with fuel pumps for development of an automobile service station located at the northeast corner of CR 951 and Rattlesnake Hammock Road with a resulting separation distance of approximately 363 feet from the property line of an existing RaceTrac service station pursuant to Land Development Code Section 5.05.05.B of the Land Development Code. The property is in Section 14, Township 50 South, Range 26 East, Collier County, Florida. [Coordinator: Timothy Finn, Principal Planner] Commissioner District 1

Meeting Date: 03/11/2021

Prepared by:

Title: – Zoning
 Name: Tim Finn
 02/22/2021 2:13 PM

Submitted by:

Title: Manager - Planning – Zoning
 Name: Ray Bellows
 02/22/2021 2:13 PM

Approved By:

Review:

Growth Management Operations & Regulatory Management	Kenneth Kovensky	Review Item	Completed
Hearing Examiner (GMD Approvers)	Diane Lynch	Review Item	Completed 02/25/2021 12:00 PM
Zoning	Ray Bellows	Review Item	Completed 02/25/2021 6:47 PM
Zoning	Anita Jenkins	Review Item	Completed 02/26/2021 9:42 AM
Hearing Examiner	Andrew Dickman	Meeting Pending	03/11/2021 9:00 AM



STAFF REPORT

TO: COLLIER COUNTY HEARING EXAMINER

FROM: GROWTH MANAGEMENT DEPARTMENT
ZONING DIVISION – ZONING SERVICES SECTION

HEARING DATE: MARCH 11, 2021

SUBJECT: PETITION ASW – PL20190002183 – 7-ELEVEN RATTLESNAKE & COLLIER

Owner/Applicant:
Hammock Park Apartments, LLC
7742 Alico Road
Fort Myers, FL 33912

Agent:
Alexis Crespo, AICP
Rich Yovanovich, Esq.
28100 Bonita Grande Dr. #305
Bonita Springs, FL 34135

REQUESTED ACTION:

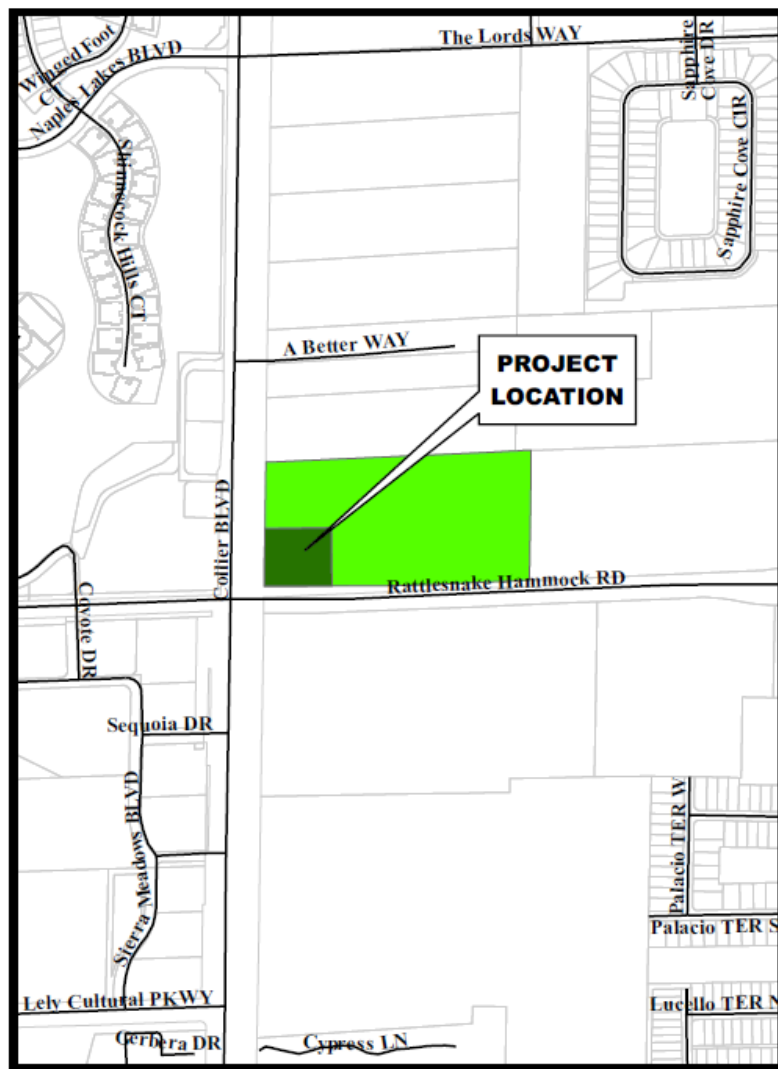
To have the Collier County Hearing Examiner (HEX) consider an application for a request of a 137+/- foot waiver from the minimum required separation of 500 feet between facilities with fuel pumps for development of an automobile service station located at the northeast corner of CR 951 and Rattlesnake Hammock Road with a resulting separation distance of approximately 363 feet from the property line of an existing RaceTrac service station pursuant to Land Development Code (LDC) Section 5.05.05.B.

GEOGRAPHIC LOCATION:

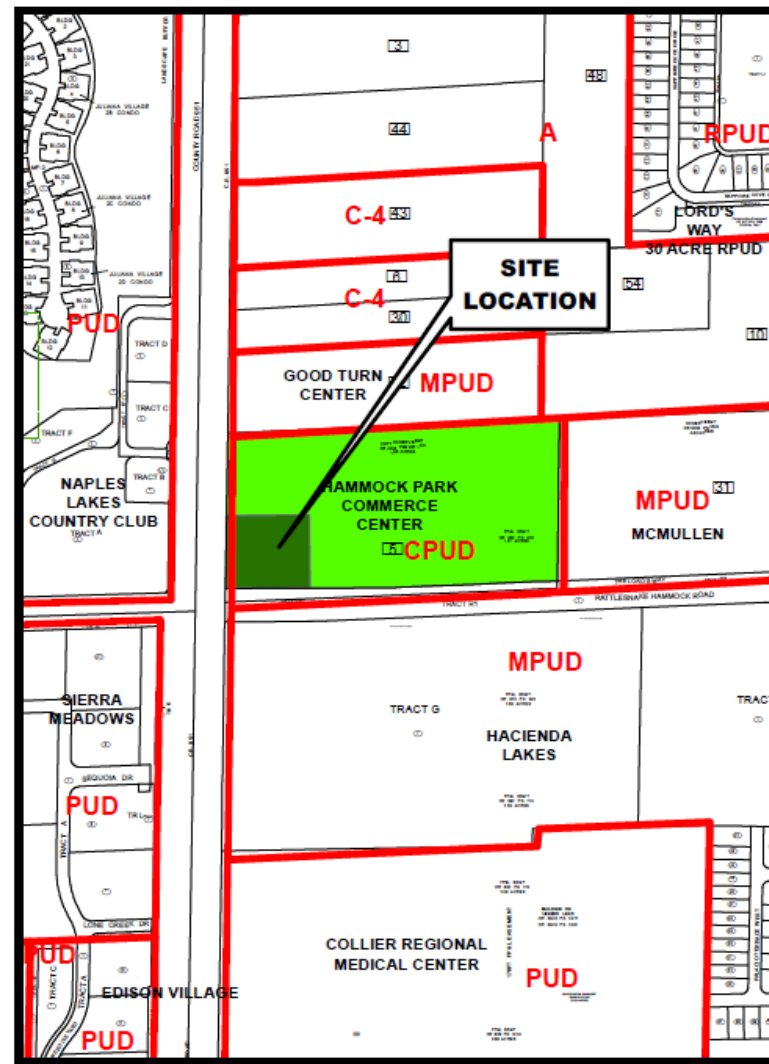
The subject property is located at the northeast corner of CR 951 and Rattlesnake Hammock Road in Section 14, Township 50 South, Range 26 East, Collier County, Florida.

PURPOSE/DESCRIPTION OF PROJECT:

The subject property is located within the Hammock Park Mixed Use Planned Development (MPUD) and will be located at the northeast corner of CR 951 and Rattlesnake Hammock Road. The applicant is requesting a waiver of the separation requirements for automobile service stations from LDC Section 5.05.05.B to situate an automobile service station with convenience store and car wash.



Location Map



Zoning Map

Petition Number: PL20200002183

SURROUNDING LAND USE & ZONING:

North: An undeveloped 9.5± acre parcel with a zoning designation of Good Turn Center PUD which allows 100,000 square feet of commercial land use and/or a variety of skilled nursing care facility uses with a maximum of 200 units.

East: An undeveloped 19.32± acre parcel with a zoning designation of McMullen MPUD which allows 185,000 square feet of commercial and/or independent living, assisted living, and nursing home care units.

South: An undeveloped 34.16± acre commercial parcel (which is part of a 2,262± acre DRI) with a zoning designation of Hacienda Lakes MPUD and a gross density of 0.78 dwelling units per acre.

West: SFWMD 951 Canal, then CR 951, a 6-lane divided roadway, and a developed commercial strip shopping center with a zoning designation of Naples Lakes Country Club PUD and a gross density of 1.67 dwelling unit per acre.



Aerial from Waldrop Engineering

STAFF ANALYSIS:

The Hammock Park MPUD is 19+/- acres in size and is currently vacant. The property was zoned CPUD per Ordinance 07-30 and most recently zoned MPUD per 2020-39 and is designated with the Urban Mixed-Use Activity Center #7 on the Future Land Use Map. The zoning and future land use allow for diverse and intensive commercial uses to serve the immediate area and Collier County as a whole. The MPUD allows for the development of up to 160,000 SF of commercial uses: or alternatively 80,000 SF of commercial uses and 265 multi-family apartment units. Gasoline services stations (SIC Group 5541) are explicitly permitted in the commercial tracts within the MPUD.

The proposed automobile service station is proposed at the southwest corner of the MPUD, at the CR 951 and Rattlesnake Hammock Road intersection as shown on the attached Automobile Service Station Waiver Exhibit (see Attachment A). The Exhibit illustrates a fuel canopy along the CR951 frontage containing eight (8) pumps (16 fueling positions). The associated retail store is located in the eastern portion of the parcel. Immediately east of the store is a proposed carwash. The location of the store provides for effective screening of the carwash from CR 951 via the intervening building.

Access will be provided through internal drives connecting the service station with the future commercial outparcel to the north within the MPUD. Further north, the overall MPUD will connect to CR 951 via the existing bridge being shared with the Good Turn CPUD. Additional access is provided directly to Rattlesnake Hammock to facilitate convenient access for westbound traffic leaving the Hacienda Lakes MPUD. A proposed 25-foot enhanced right-of-way buffers are provided along both CR 951 and Rattlesnake Hammock Road in accordance with LDC Section 5.05.05.E. Additionally, due to the recent approval of multi-family apartments on the eastern C/MU portion of the MPUD, a 30-foot wide residential buffer is provided to comply with the supplementary standards in LDC Section 5.05.05.D.

The dumpster location is fully screened and will comply with the integrated design and color scheme of all principle structures on the site. The enclosed exhibit demonstrates the service station will comply with all design standards and regulations pertaining to automobile service stations to uphold the County's intent for aesthetically pleasing and highly functional gas stations to serve the residents and travelling public. A market study/needs analysis was submitted demonstrating the addition of the proposed gas station to the immediate market area will not adversely affect the balance of gasoline supply while addressing the demand coming from the future growth and make significant economic contributions to Collier County in terms of gas taxes, sales taxes and property taxes (see Attachment B).

STAFF ANALYSIS OF WAIVER FROM SEPARATION REQUIREMENTS FOR AUTOMOBILE SERVICE STATIONS (ASW) CRITERIA

The decision to grant the ASW is based on criteria in LDC Section 5.05.05.B.2.a.i - iv, in bold font below. Staff has analyzed this petition relative to these provisions and offers the following responses:

- i. **Whether the nature and type of natural or man-made boundary, structure, or other feature lying between the proposed establishment and an existing facility with fuel pumps is determined by the BZA to lessen the impact of the proposed facility with fuel pumps. Such boundary, structure, or other feature may include, but is not limited to, lakes, marshes, nondevelopable wetlands, designated preserve areas, canals, and a minimum of a 4-lane arterial or collector right-of-way.**

There is a manmade boundary (CR 951) between the proposed automobile services station and the existing RaceTrac at the southwest corner of CR 951 and Rattlesnake Hammock Road. CR 951 is a six-lane arterial roadway with a 100+/-foot right-of-way width. The proposed automobile service station is also separated by the CR 951 canal, which provides another 100+/-feet of separation between the service stations. Thus, there is substantial separation and infrastructure that provide boundaries between the gas stations.

- ii. **Whether the facility with fuel pumps is only engaged in the servicing of automobiles during regular, daytime business hours, or, if in addition to or in lieu of servicing, the facility with fuel pumps sells food, gasoline, and other convenience items during daytime, nighttime, or on a 24 hour basis**

The proposed automobile service station is a 24-hour operation providing food, gasoline, and other items. There is no automobile servicing or repair proposed. The site's location along an arterial roadway and adjacent to existing and planned commercial uses directly supports the proposed 24-hour operation to ensure compatibility. If residential uses are developed internal to the site in the C/MU tract to the east of the proposed service station, a 30' wide buffer will be provided as shown on the Automobile Service Station Waiver Exhibit. (See Attachment A)

- iii. **Whether the facility with fuel pumps is located within a shopping center primarily accessed by a driveway, or if it fronts on and is accessed directly from a platted road right-of-way.**

The proposed automobile service station will be located in an outparcel within a MPUD. The station will be accessed from Rattlesnake Hammock, a county-maintained platted roadway, as well as the internal roadway network within the MPUD, that connects to CR 951 via an existing bridge just north of the Hammock Park MPUD boundary, within the Good Turn CPUD.

- iv. **Whether the granting of the distance waiver will have an adverse impact on adjacent land uses, especially residential land uses.**

Buffers, lighting, architecture, and setbacks of the site design are intended to meet or exceed the enhanced code requirements for facilities with fuel pumps according to LDC Section 5.05.05. The only abutting residential development would be future apartments on the eastern portion of the MPUD (internal to the same project), which will be buffered in accordance with the LDC. There are no abutting residential uses, either existing or permitted,

that are outside the Hammock Park MPUD boundary. Access is conveniently provided from both Rattlesnake Hammock Road and from CR 951 via an existing bridge north of the MPUD.

COUNTY ATTORNEY OFFICE REVIEW:

The County Attorney Office reviewed the staff report for this petition on 2/22/21.

STAFF RECOMMENDATION:

Staff recommends that the Collier County Hearing Examiner (HEX) approve Petition ASW-PL20190002183, 7-Eleven Rattlesnake & Collier, for the request of a 137+/- foot waiver from the minimum required separation of 500 feet between facilities with fuel pumps for development of an automobile service station located at the northeast corner of CR 951 and Rattlesnake Hammock Road with a resulting separation distance of approximately 363 feet from the property line of an existing RaceTrac service station.

Attachments:

- A. Auto Service Waiver Exhibit
- B. Market Analysis
- C. Application and Backup Materials

MARKET ANALYSIS FOR PROPOSED HAMMOCK PARK CONVENIENCE STORE/FUEL STATION ON COLLIER BOULEVARD IN COLLIER COUNTY, FLORIDA

November 16, 2020

Prepared for

Wilton Land Company, LLC
C/O Mr. David Torres
7742 Alico Road
Fort Myers, FL 33912

Prepared by



Real Estate Econometrics, Inc.

Real Estate Econometrics, Inc.
Suite 100
707 Orchid Drive
Naples, Florida 34102
(239) 269-1341
Ree-i.Com

Executive Summary

Wilton Land Company LLC (“Applicant”) is seeking approval for a proposed convenience store/fuel station (“Project”) at the northeast corner of Collier Boulevard (CR 951) and Rattlesnake Hammock Road in Collier County’s South Naples planning area.

The Project will make a significant contribution to the Collier County economy while at the same time support the rapid growth in the Project’s market area (defined in Section 1.1) without adversely affecting the efficient gasoline market economy in that market area.

- Gasoline market demand is anticipated to grow **12.74%** in the Project’s drive time market area over the next five years.
- The proposed convenience store/gas station will increase the same gasoline market drive time supply by **8.89%**.

The proposed Project will keep the drive time gasoline market efficient by providing the needed supply to accommodate the growing demand in Collier County’s South Naples planning area.

Background

The Applicant is seeking to develop a 1.83-acre parcel of land that is a part of the 18.99-acre Hammock Park Commerce Center commercial planned unit development (“CPUD”) and located at the northeast corner of Collier Boulevard (CR 951) and Rattlesnake Hammock Road in Collier County’s South Naples planning area. The Applicant is proposing a convenience store/fuel station on the property.

An amendment to the CPUD and a companion Growth Management Plan amendment was recently passed by the Collier County Commission for up to 265 apartment dwelling units within the CPUD.

The existing CPUD ordinance indicates gasoline service stations are an allowable use, subject to the provisions of the LDC governing facilities with fuel pumps (LDC 5.05.05). The carwash is permitting within the CPUD as an accessory use to the gas station. There is currently no limit on the number of pumps noted in the CPUD ordinance. The CPUD does not have site development regulations that are specific to gas stations, therefore the requirements of Collier County LDC 5.05.05 will apply.

The Applicant proposes to construct a new 6,500 sf convenience store and free-standing fuel canopy with 8 MPDs (16 fueling positions) on an outparcel at the southwest corner of the parcel. A single bay self-serve automatic carwash is also proposed.

Collier County Code requires 500 feet separation between gas stations and a RaceTrac gas station is located within 500 feet of the Project. Therefore, an Automobile Service Station Waiver (“ASW”) is required. Along with a public hearing, the ASW also requires a gas station needs analysis for the Project.

Real Estates Econometrics, Inc. (“Consultant”) has been retained to analyze the fuel market for the Applicant. The Consultant is well-versed in preparing needs analysis studies especially in the Southwest Florida marketplace.

This Study is comprised of three (3) parts; the market area demographics, the market analysis and conclusion.

1.0 Market Area Demographics

1.1 Market Area Definition

Since the convenience store/fuel station market is being analyzed, it is appropriate to define the market area for such use by using a drive time calculation. Drive times are calculated by Environmental Systems Research Institute (“ESRI”). The ESRI Business Analyst mapping program is geographic information system-based (“GIS”) that calculates market area drive times by actual street networks and posted speed limits and allows for the extraction of census data from that drive time market area.

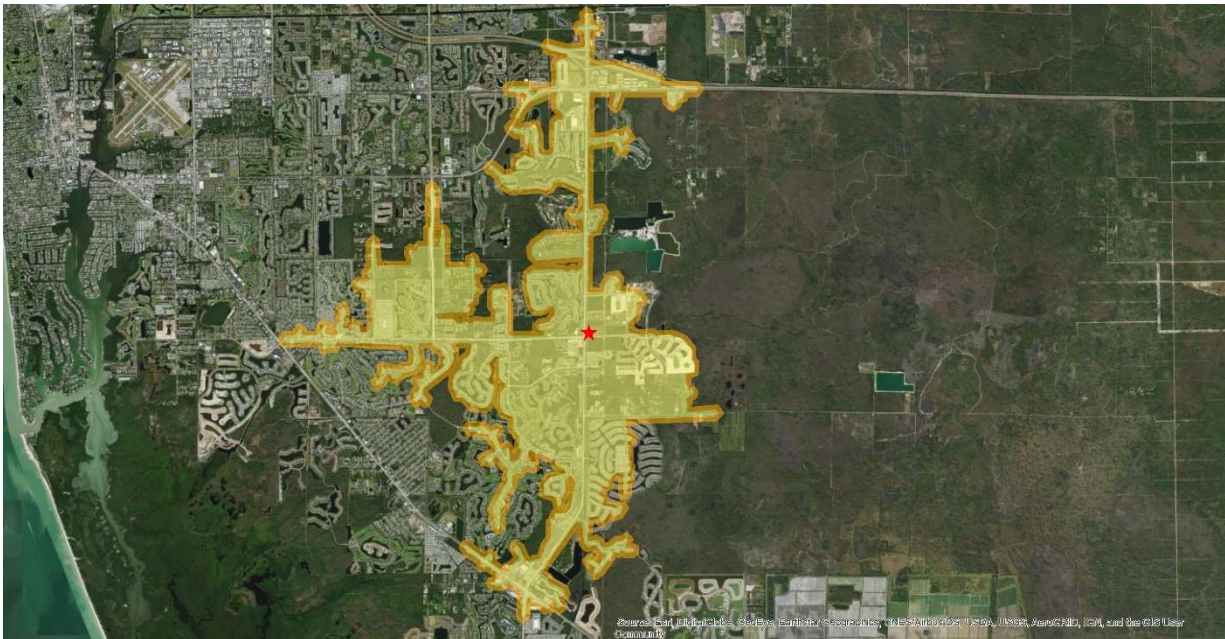
A March 1, 2017 study by the National Association of Convenience Stores (“NACS”) on how consumers behave at the pump (See Appendix A) shows that consumers are attracted to convenience store/fuel station facilities based on a number of factors including:

- Price
- Location Convenience
- Brand
- Ease of ingress/egress

As most consumers of a convenience store/fuel station facility are drawn to that facility based primarily on the four factors noted above, it would stand to reason that an immediate market area would include driving within 5-minutes to such a facility to obtain fuel. Most consumers would be fueling as a secondary action while driving for other reasons such as going to the grocery store or traveling to and from work. The above factors indicate that a convenience store/fuel facility market analysis would encompass a 5-minute drive time market area (“Market Area”).

Figure 1.1.1 below depicts the Market Area for the Project.

Figure 1.1.1



Source: ESRI ArcGIS Business Analyst Mapping System

The Market Area configuration will change over time as growth occurs in the area and new roads with new residences are developed. That is important to note when the Market Area demographic detail is reviewed over the next five years in the next section.

1.2 Market Area Demographic Detail

In order to determine the convenience store/fuel station facility demand, a demographic profile of the Market Area is required. The Consultant utilized the Environmental Systems Research Institute's ("ESRI") geographic information systems ("GIS") both desktop and web-based. ESRI's Business Analyst on-line and ArcGIS desktop programs allow for the most current data collecting at the local level. Table 1.2.1 below shows the census-based demographic profile of the population that lives within the Market Area of the subject site.

Table 1.2.1

		Demographic and Income Profile			
		Hammock Park Gas Station 8510 Collier Blvd, Naples, Florida, 34114 Drive Time: 5 minute radius		Prepared by Esri Latitude: 26.11043 Longitude: -81.68623	
Summary	Census 2010	2019	2024		
Population	9,637	12,773	14,451		
Households	4,808	6,218	7,010		
Families	3,065	4,072	4,612		
Average Household Size	1.96	2.02	2.03		
Owner Occupied Housing Units	3,806	4,663	5,402		
Renter Occupied Housing Units	1,002	1,555	1,608		
Median Age	63.8	65.0	65.7		
Trends: 2019 - 2024 Annual Rate	Area	State	National		
Population	2.50%	1.37%	0.77%		
Households	2.43%	1.31%	0.75%		
Families	2.52%	1.26%	0.68%		
Owner HHs	2.99%	1.60%	0.92%		
Median Household Income	4.21%	2.37%	2.70%		
Households by Income	2019		2024		
	Number	Percent	Number	Percent	
<\$15,000	376	6.0%	310	4.4%	
\$15,000 - \$24,999	494	7.9%	403	5.7%	
\$25,000 - \$34,999	421	6.8%	357	5.1%	
\$35,000 - \$49,999	1,019	16.4%	931	13.3%	
\$50,000 - \$74,999	1,228	19.7%	1,313	18.7%	
\$75,000 - \$99,999	847	13.6%	1,037	14.8%	
\$100,000 - \$149,999	961	15.5%	1,297	18.5%	
\$150,000 - \$199,999	316	5.1%	512	7.3%	
\$200,000+	556	8.9%	850	12.1%	
Median Household Income	\$63,936		\$78,558		
Average Household Income	\$94,291		\$114,935		
Per Capita Income	\$45,419		\$55,008		
Population by Age	Census 2010	2019	2024		
	Number	Percent	Number	Percent	Number
0 - 4	310	3.2%	405	3.2%	446
5 - 9	272	2.8%	362	2.8%	388
10 - 14	241	2.5%	310	2.4%	348
15 - 19	246	2.6%	308	2.4%	343
20 - 24	268	2.8%	365	2.9%	383
25 - 34	640	6.6%	880	6.9%	933
35 - 44	614	6.4%	742	5.8%	843
45 - 54	833	8.6%	921	7.2%	951
55 - 64	1,635	17.0%	2,086	16.3%	2,278
65 - 74	2,443	25.3%	3,524	27.6%	4,119
75 - 84	1,607	16.7%	2,058	16.1%	2,547
85+	530	5.5%	811	6.3%	873
Race and Ethnicity	Census 2010	2019	2024		
	Number	Percent	Number	Percent	Number
White Alone	8,685	90.1%	10,834	84.8%	11,930
Black Alone	514	5.3%	1,088	8.5%	1,422
American Indian Alone	18	0.2%	26	0.2%	32
Asian Alone	69	0.7%	123	1.0%	168
Pacific Islander Alone	3	0.0%	3	0.0%	5
Some Other Race Alone	257	2.7%	532	4.2%	689
Two or More Races	91	0.9%	166	1.3%	205
Hispanic Origin (Any Race)	1,220	12.7%	2,239	17.5%	2,933

Data Note: Income is expressed in current dollars.

Source: U.S. Census Bureau, Census 2010 Summary File 1. Esri forecasts for 2019 and 2024.

Source: ESRI and U.S. Census Bureau

In 2019, the population for the Market Area is 12,773 and the number of households is 14,451. The majority of household incomes range from \$35,000 to \$150,000 and the median household income of the Market Area is \$63,936. The average household income for this market area is \$94,291.

Table 1.2.2 below shows the workforce makeup of the Market Area. The workforce makes up 33.49% of the total market area population and will be significant contributors to the product sales of the convenience store/fuel station. The majority of the workforce is in the services industry and is white collar in occupation.

Table 1.2.2

	
Market Profile	
Hammock Park Gas Station 8510 Collier Blvd, Naples, Florida, 34114 Drive Time: 6 minute radii	
Prepared by Esri Latitude: 26.11043 Longitude: -81.68623	
	5 minutes
2019 Employed Population 16+ by Industry	
Total	4,265
Agriculture/Mining	1.7%
Construction	6.0%
Manufacturing	1.8%
Wholesale Trade	1.0%
Retail Trade	15.5%
Transportation/Utilities	1.2%
Information	2.1%
Finance/Insurance/Real Estate	5.4%
Services	61.3%
Public Administration	4.1%
2019 Employed Population 16+ by Occupation	
Total	4,266
White Collar	54.4%
Management/Business/Financial	10.3%
Professional	15.7%
Sales	14.7%
Administrative Support	13.7%
Services	33.9%
Blue Collar	11.8%
Farming/Forestry/Fishing	1.9%
Construction/Extraction	1.8%
Installation/Maintenance/Repair	3.3%
Production	1.4%
Transportation/Material Moving	3.4%

Source: ESRI and U.S. Census Bureau

2.0 MARKET ANALYSIS

2.1 Market Area Demand

The Consultant next determined the market area demand for gasoline in 2019 and then over a 5-year period to 2024 in order to calculate the future demand for gasoline coming from the Market Area. Table 2.1.1 shows that the market area's 2019 population is 12,773 and the persons per household is 2.02 as taken from Table 1.2.1 and equates to a household count of 6,218 per ESRI. The household count is required since the annual amount spent on fuel in the Market Area is calculated on a per household basis.

Table 2.1.1

Population	12,773
Persons Per Household	2.02
Households	6,218

Source: ESRI and U.S. Census Bureau

In order to determine the 2024 population for the same Market Area, the Consultant then utilized the population projection from Table 1.2.1. The table and its forecasts are based on census data. Table 2.1.2 below shows that the Market Area population is projected to increase by 1,678 people between 2019 and 2024.

Table 2.1.2

Year	5-Minute Drive Time Population
2019	12,773
2024	14,451
Increase:	1,678

Source: ESRI and US Census Bureau

The next step in calculating the demand for gasoline from the Market Area is to determine the number of gallons of fuel consumed annually in the Market Area. The Consultant utilized the U.S. Census population data for the Market Area and combined it with the U.S. Census automotive expenditures data (Appendix B) and the Market Area average price to calculate the Market Area's annual consumption of gasoline. Table 2.1.3 on the next page shows the calculation. The Consultant made the same calculation for both 2019 and 2024

Table 2.1.3

	2019	2024
Population	12,773	14,451
Households	6,218	7,010
Average Amount spent on gas per Household	\$2,502.67	\$2,502.67
Total Amount Spent in market area	\$15,561,602.06	\$17,543,716.70
Average gasoline price per gallon (from Appendix C):	\$2.29	\$2.269
Gallons Consumed Annually in Market Area:	6,795,459	7,661,012
Demand Increase from 2019 to 2024:		12.74%

Source: ESRI, Automotive Aftermarket Expenditures, Consultant Field Study (Appendix C)

The annual gallons of fuel consumed in the market area will increase by 865,552 which equates to a Market Area demand increase of **12.74%** over the five-year period.

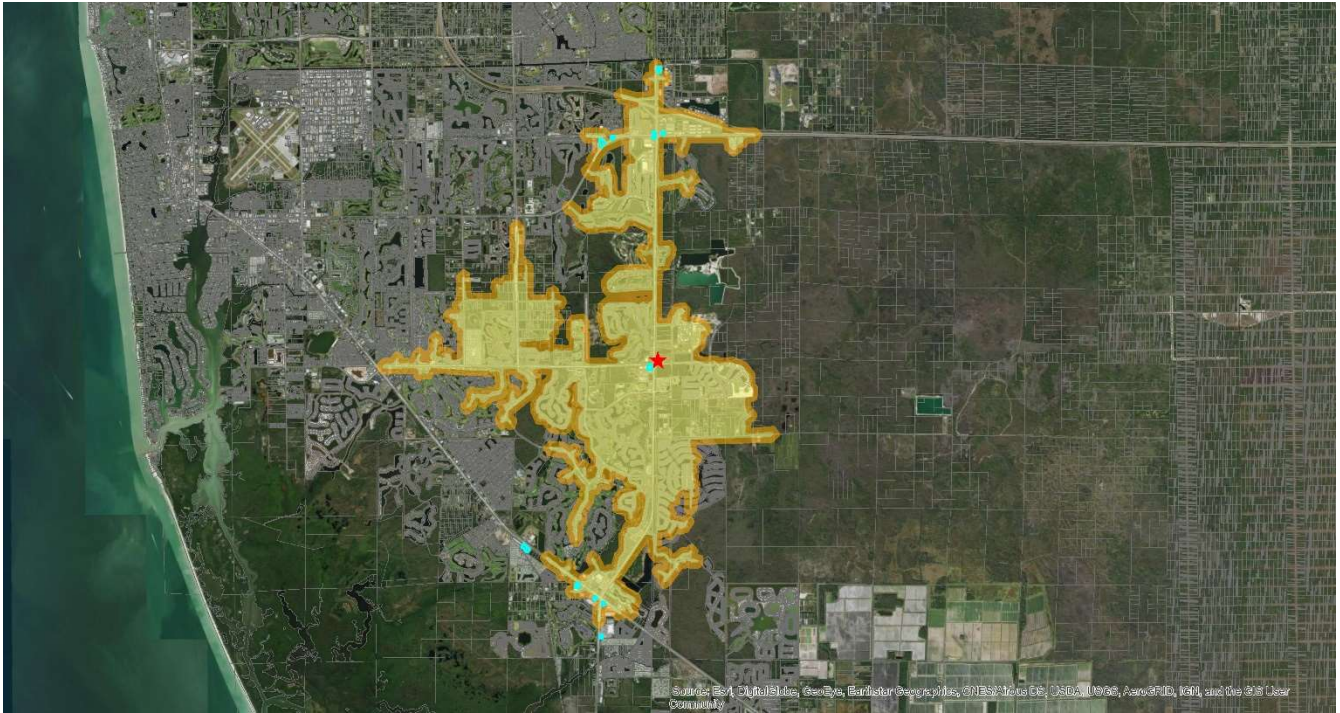
2.2 Market Area Supply

In order to determine the impact the Project will have on the supply, the Consultant first needs to identify the existing gas stations in the Market Area, then calculate the number of cars using the existing gas stations on a weekly basis and finally determine the number of cars that would be using the Project's fuel to ascertain the percent growth the Project's supply will have on the total Market Area supply.

The Consultant first used the same Market Area drive time to determine the number of competitive gas stations located within the boundaries of the Market Area. Figure 2.2.1 on the next page shows the competitive gas stations in light blue as they geographically relate to the Project location (red star).

(Rest of Page Left Intentionally Blank)

Figure 2.2.1



Source: ESRI, Collier County Property Appraiser, DOR List with Consultant Field Study (Appendix C)

There are 12 gas stations within the Market Area boundary and all are convenience store/fuel stations. The list of the competitive stations, their makeup and photos are located in Appendix C.

The Consultant then utilized NACS data to examine the supply side of the competition in the Market Area. The NACS 2015 Fuel Report (Appendix D, Page 30) along with the American Independent Business Alliance (“AMIBA”) report (Appendix E, Page 2) points out that big box mass merchandise stores sell 278,000 gallons of gasoline per month and that amount is more than half of the amount sold by convenience store/fuel station locations. Based on that statistic, the Consultant used 270,000 gallons as a base amount and used 50% (135,000) of that amount as the average amount of gallons sold per month at a convenience store/fuel station location. There was no state, regional or local data available. From that point, the Consultant calculated the 12-station Market Area gallons sold during the weekday for a week. Table 2.2.1 on the next page shows that calculation.

Table 2.2.1

Station Gallons per Month:	135,000
Station Gallons per week:	33,750
Station Gallons for 5 weekdays:	24,107
Stations:	12
Market Area Gallons per 5-day week:	289,286

Source: NACS 2015 Fuel Report (Appendix D) and AMIBA Report (Appendix E)

The Project's contribution in terms of total supply is then added to the Market Area total so that the number of cars per 5-day week could be determined. Table 2.2.2 below shows that calculation.

Table 2.2.2

Market Area Gallons per 5-day week:	289,286
Project Contribution per 5-day week:	24,107
Market Area Gallons per 5-day week with Project:	313,393

Source: Consultant

The next step is to calculate the number of gallons per week that is consumed per car in the marketplace. A cars per household statistic is required for this calculation. The Consultant utilized a study by Governing, a highly regarded media platform covering politics, policy and management for state and local government leaders (Appendix F). Each car uses 10.86 gallons per week in the Market Area. This calculation is shown in Table 2.2.3 below.

Table 2.2.3

Drive Time Population	12,773
Drive Time Households	6,218
Annual Fuel Cost per Household	\$2,502.67
Cars Per Household (Appendix F)	1.78
Annual Fuel Cost per Car	\$1,405.99
Avg. Market Area Price per Gallon (Appendix C)	\$2.49
Annual Gallons Consumed per Car	564.66
Weeks per Year	52
Gallons Per Car Per Week	10.86

Source: ESRI, Automotive Aftermarket Expenditures, Consultant Field Study (Appendix C), Governing calculations of 2015 and 2016 one-year Census American Community Survey

The next calculation is to convert the gallons per 5-day week to cars purchasing those gallons in the Market Area in order to compare to the cars per 5-day week as calculated by the Project traffic study that will purchase fuel at the Project. Table 2.2.4 shows that calculation.

Table 2.2.4

Market Area Gallons per 5-day week with Project (from Table 2.2.2):	313,393
Gallons per car per week (from Table 2.2.3):	10.86
Cars per 5-day week in Market Area:	28,861

Source: Consultant

The number of cars per 5-day week for the Project is the next calculation needed to compare the Project's contribution to the supply. Using the Project's traffic study (Appendix G) and a study performed by C-Store Shopper Insights (Appendix H), the Consultant determined that 1,918 cars will be purchasing gasoline at the Project's fuel stations over a 5-weekday period. Table 2.2.5 below shows that calculation.

Table 2.2.5

Cars buying Gasoline at the Project during 5-Weekday period

	Per hour	Total Cars in
Weekday Per hour am (4 hours)	100	400
Weekday Per hour pm (4 hours)	86	344
Total Cars in per weekday:		744
C-Store data: 69% cars in for gas:	69.00%	513
Project cars buying gas over 5-weekdays:		2,567

Source: Project Traffic Study (Appendix G), page 7. C-Store Shopper Insights, Page 1 (Appendix H)

The Project's percentage of contribution to the Market Area supply is the last calculation. Table 2.2.6 below shows that the Project will contribute 2,567 fuel purchasers to the Market Area, equating to a Market Area supply increase of **8.89%**

Table 2.2.6

Market Area cars per 5-weekdays including Project (from Table 2.2.4):	28,861
Project cars per 5-weekdays (from Table 2.2.5):	2,567
Project Supply percent increase to the Market Area Supply:	8.89%

Source: Consultant

2.3 Supply – Demand Analysis

The final step in the Market Study supply-demand analysis is to put the supply and demand calculations together in order to determine the oversupply or undersupply of gasoline in the Market Area with the addition of the Project. Table 2.3.1 shows that over the next five years there will be a **3.85%** deficit supply of gasoline to serve the Market Area over the next five (5) years.

A basic economic principal states that all markets are efficient and that supply is for the most part generated as demand dictates. It is a rare economic situation where supply generates demand. This basic economic principal shows that markets are efficient in terms of supply and demand and the ultimate lack of available fuel station choices creates an impediment to the market functioning properly.

The economic principal stated above would indicate that fuel station supply will be added to the Market Area in order to equalize the demand side of the Market Area's supply/demand equation. The Project will increase the Market Area's supply side by **8.89%** thus stabilizing the Market Area's supply/demand equation for the next five (5) years. There will still be a **3.85%** supply deficit in the next five (5) years even with the Project addition to the supply.

Table 2.3.1

Market Area Demand Growth (Table 2.1.3)	12.74%
Project percent of market (Table 2.2.6)	8.89%
Market Area 5-year supply = surplus/(deficit)	(3.85%)

The addition of the Project will not only satisfy the increased demand over the next five (5) years, it will also keep gasoline prices reasonable by absorbing a majority of the five (5) year projected demand increase and not constraining the gasoline supply thus forcing gas prices to escalate. The Project will compensate for properties along the Market Area corridor that may not be developed as convenience store/fuel stations due to being unavailable for sale or subject to other development constraints. And the Project will be new to the market in terms of construction and exterior ambiance thus providing an upgrade to the Collier Boulevard development corridor and potentially force older gas station/convenience store competitors to upgrade their exterior and interior appearances.

3.0 CONCLUSIONS

- 3.1 The Consultant used all of the data and analysis in the previous sections to determine the total supply and demand for gasoline sales in the Project's market area for the next five years. From there, the Consultant then determined the Project's impact on the Market Area in terms of the Market Area's percent of demand growth versus the Market Area's percent of supply increase with the addition of the Project's supply.

The results show compellingly that the addition of the Project to the Market Area will not adversely affect the balance of gasoline supply while addressing the demand coming from the future growth and make significant economic contributions to Collier County in terms of gas taxes, sales taxes and property taxes.

The Market Area is currently assumed to be in equilibrium as economic studies have shown that markets are efficient in terms of supply and demand and the future supply will be developed as the market grows and diversifies. The Project will help address the demand coming to the Market Area over the next five years. Based on the analysis, there will be even more of a gasoline supply need for the Market Area over the next five (5) years and beyond even with the addition of the Project.

APPENDIX A

HOW CONSUMERS BEHAVE AT THE PUMP

Nearly 40 million Americans fill up their vehicles every day. How they drive, consider gas prices and determine whether they go inside the store has a profound impact on convenience stores.

By NACS Published: 3/1/2017 10

Tags: Consumers; Pay at the Pump

Nearly 40 million Americans fill up their vehicles every day. How they drive, consider gas prices and determine whether to shop inside a convenience store for food, snacks and beverages has a profound impact on the retail channel that sells 80% of the fuel purchased in the United States. Let's look at some of the broad characteristics of how consumers buy gas and examine how convenience retailers can keep them coming back.

In particular, we examine:

- Consumer behavior at the pump
- What retailers can do to change consumer behavior
- Overall driving habits

NACS has surveyed consumers about their perceptions related to gas prices since 2007 and has conducted monthly consumer sentiment surveys since 2013. NACS commissioned Penn, Schoen and Berland Associates LLC to conduct 1,114 online interviews with adult Americans on January 3-6, 2017. The margin of error for the entire sample is +/- 2.95% at the 95% confidence interval and higher for subgroups. Below are the questions and overall responses.

Consumer Behavior at the Pump

Understanding how consumers feel about gasoline prices can help convenience retailers execute their marketing strategies. It's also important to determine how consumers buy gas, which reveals some interesting variations.

Filling Up the Tank

Consumers are more likely to buy gas during the evening rush than the morning daypart (36% vs. 22%), likely because of morning time pressures. But these time pressures vary by demographic. Those most likely to purchase fuel in the morning are consumers age 34-49 who generally face time pressures related to organizing family activities, etc. There may be an opportunity to focus marketing on this segment to encourage more breakfast items. Meanwhile, those age 50 and older are most likely to purchase gas mid-day, outside of rush hours. A promotional campaign around slowing down and enjoying a snack or meal inside the store might appeal to this demographic.

Q: What time of the day do you often purchase gas?

(%) Gas Consumers 2017	Age			
	18-34		35-49	50+
Morning, or roughly 6 am to 10 am	22	19	28	21
Mid-day, or roughly 10 am to 3 pm	32	27	25	41

I Am Looking For: Search this site...

RELATED ARTICLES



What Consumers Say About
Fueling

By NACS Read More



Are You Average?

By NACS Read More



Survey Says...

By NACS Magazine Read More

Afternoon, or roughly 3 pm to 7 pm	36	41	37	32
Night, or roughly 7 pm to midnight	9	13	10	6
Overnight, or roughly midnight to 6 am	1	0	1	0

Most fueling sites offer three octane grades: regular (usually 87 octane), mid-grade (usually 89 octane), and premium (usually 92 or 93 octane). Regular octane is the dominant fuel, while those who buy higher-octane fuels are likely doing so because their vehicle requires it. There are some variations by age; younger consumers are the least interested in mid-grade as a fueling option.

Q: What octane grade do you typically purchase for the vehicle you most commonly drive?

(%) Gas Consumers 2017		Gender		Age		
		M	F	18-34	35-49	50+
Regular	82	80	84	82	78	86
Mid-grade	8	10	7	5	11	5
Premium	8	10	7	11	10	5
Other	1	0	1	0	1	1
Don't know	0	0	1	1	0	0

Fully three quarters of consumers pay by plastic (73%). The percentage of consumers who pay by plastic has increased by 9 percentage points between 2009 and 2017. In reviewing subcategories, debit cards are most used by females (41%) and those age 18–34 (45%). Credit cards are most popular with those age 50 and older (47%).

Q: Which payment method do you typically use to purchase gas?

(%) Gas Consumers 2017			Track				
			2016	2015	2014	2013	2012
Cash	26	28	23	27	27	33	35
Credit	36	34	40	37	35	41	37
Debit	37	38	38	36	37	24	27
Total debit and credit	73	72	78	73	72	65	64

Shopping on Price

The rise of mobile commerce, apps and price-checking websites make it easier for consumers to shop for deals and “steals” on everything from appliances to new shoes, a mentality that also carries over to gasoline. Simply put, no matter what the price per gallon is, consumers want to find the best price they can. Approximately two in three consumers have consistently shopped on price, whether gas was as low as \$1.62 per gallon at the start of 2009, or as high as \$3.28 per gallon at the start of 2013. However, a focus on price is diminishing and has fallen 10 percentage points in just two years. Location has grown more important to consumers, as well as the in-store food offer. The price per gallon is least important to those who over the past 30 days who bought a sandwich at a place where they also purchased gas (56%).

Q: When buying gas, which of the following factors is important to you?

(%) Gas Consumers 2017	Track						
	2016	2015	2014	2013	2012	2009	
Price	61	64	71	66	71	63	70
Location of store/station	25	20	18	20	18	20	19
Brand	8	9	8	8	8	8	9
Ease of entrance or exit	4	6	3	4	2	6	-
Other	1	1	1	1	1	2	1

So how do price-sensitive consumers shop by price? The traditional gas price sign remains the most common method, particularly among drivers during the morning rush (65%). Loyalty cards are a second choice and are used by one in seven (16%) price-sensitive consumers.

APPENDIX B

Attachment: Attachment B - Market Analysis (14692 : 7-Eleven Rattlesnake & Collier (ASW))



Automotive Aftermarket Expenditures

3.A.c

Hammock Park Gas Station
8510 Collier Blvd, Naples, Florida, 34114
Drive Time: 6 minute radius

Prepared by Esr
Latitude: 26.11043
Longitude: -81.68623

Demographic Summary		2019	2024
Population		12,773	14,451
Households		6,218	7,010
Families		4,072	4,612
Median Age		65.0	65.7
Median Household Income		\$63,936	\$78,558
	Spending Potential Index	Average Amount Spent	Total
Payments on Vehicles excluding Leases	114	\$2,886.11	\$17,945,805
Gasoline and Motor Oil			
Gasoline	113	\$2,502.67	\$15,561,605
Diesel Fuel	154	\$82.85	\$515,149
Motor Oil	136	\$21.03	\$130,750
Other Vehicle Expenses			
Vehicle Maintenance & Repairs	117	\$1,338.57	\$8,323,245
Vehicle Coolant/Brake/Transmission Fluids	123	\$10.65	\$66,218
Tire Purchase/Replacement	130	\$233.38	\$1,451,163
Vehicle Parts/Equipment/Accessories	124	\$81.18	\$504,747
Vehicle Accessories including Labor	127	\$15.21	\$94,591
Vehicle Cleaning Services including Car Washes	102	\$28.31	\$176,062
Miscellaneous Auto Repair/Serviceing	97	\$154.01	\$957,656
Vehicle Body Work & Painting	118	\$43.84	\$272,628
Vehicle or Engine Repairs	117	\$289.75	\$1,801,650
Vehicle Motor Tune-up	129	\$63.48	\$394,726
Lube/Oil Change & Oil Filters	116	\$137.89	\$857,418
Vehicle Front End Alignment/Wheel Balance &	131	\$40.45	\$251,508
Vehicle Shock Absorber Replacement	104	\$15.92	\$98,986
Tire Repair and Other Repair Work	111	\$166.44	\$1,034,933
Auto Repair Service Policy	140	\$58.05	\$360,960
Vehicle Insurance	114	\$1,765.30	\$10,976,640
Rental of Vehicles excluding Trips	110	\$61.25	\$380,852
Leased Vehicles	100	\$403.44	\$2,508,618
Basic Lease Charge for Cars/Trucks	98	\$351.42	\$2,185,160
Car/Truck Lease Fees & Down Payments	117	\$52.02	\$323,458
Vehicle Pers Property Taxes/State & Local Registr Fees	127	\$239.80	\$1,491,068
Driver`s License Fees	109	\$13.70	\$85,215
Vehicle Inspection Fees	114	\$18.00	\$111,943
Parking Fees & Tolls excluding Trips	80	\$92.24	\$573,551
Parking Fees excluding Residence (Not on Trips)	79	\$45.23	\$281,255
Tolls/Electronic Toll Passes excluding Trips	81	\$47.01	\$292,296
Towing Charges	94	\$6.26	\$38,949
Auto Service Clubs & GPS Services	126	\$44.95	\$279,526

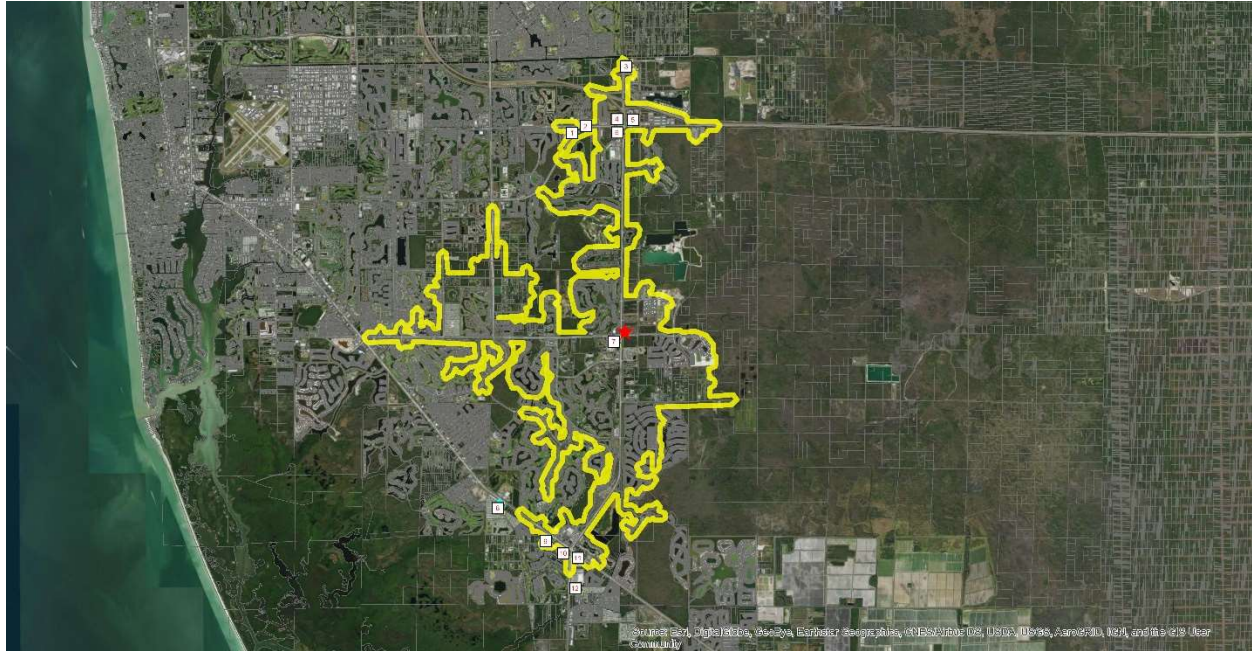
Data Note: The Spending Potential Index (SPI) is household-based, and represents the amount spent for a product or service relative to a national average of 100.
Source: Esri forecasts for 2019 and 2024; Consumer Spending data are derived from the 2016 and 2017 Consumer Expenditure Surveys, Bureau of Labor Statistics.

Attachment: Attachment B - Market Analysis (14692 : 7-Eleven Rattlesnake & Collier (ASW))

APPENDIX C

Attachment: Attachment B - Market Analysis (14692 : 7-Eleven Rattlesnake & Collier (ASW))

HAMMOCK PARK DRIVE TIME AREA COMPETITIVE CONVENIENCE STORES/FUEL STATIONS



Map ID	Facility Name	Site Address	DOR Facilities Report Status	Convenience Store	MPDs	Pumps	87 Octane	89 Octane	93 Octane
1	RaceTrac	8485 DAVIS BLVD	OPEN	YES	8	16	2.16	2.46	2.76
2	Circle K - Shell	8600 RADIO LN	OPEN	YES	3	6	2.16	2.53	2.80
3	Shell	3835 WHITE LAKE BLVD	OPEN	YES	6	12	2.16	2.53	2.80
4	Marathon	8901 DAVIS BLVD	OPEN	YES	8	16	2.39	2.89	3.09
5	Shell	3825 TOLLGATE BLVD	OPEN	YES	6	12	2.59	2.89	3.09
6	Mobil	8900 DAVIS BLVD	OPEN	YES	8	16	2.40	2.90	3.00
7	RaceTrac	8483 COLLIER BLVD	OPEN	YES	8	16	2.23	2.53	2.83
8	RaceTrac	11700 TAMIAMI TRL E	OPEN	YES	8	16	2.00	2.30	2.60
9	WaWa	12456 TAMIAMI TRL E	OPEN	YES	8	16	2.00	2.30	2.60
10	7-11 Mobile	12750 TAMIAMI TRL E	OPEN	YES	6	12	2.69	3.00	3.30
11	Circle K - Shell	12800 TAMIAMI TRL E	OPEN	YES	4	8	2.69	3.06	3.31
12	Murphy Oil	6630 COLLIER BLVD	OPEN	YES	8	16	1.96	2.26	2.56
					81	162	\$2.29	\$2.64	\$2.90

Map Location 1

RaceTrac
8485 Davis Boulevard
8 Stations – 16 pumps



87 Octane	89 Octane	93 Octane
\$2.16	\$2.46	\$2.76

Attachment: Attachment B - Market Analysis (14692 : 7-Eleven Rattlesnake & Collier (ASW))

Map Location 2

Circle K - Shell

8600 Radio Road

3 Stations – 6 pumps



87 Octane	89 Octane	93 Octane
\$2.16	\$2.53	\$2.80

Attachment: Attachment B - Market Analysis (14692 : 7-Eleven Rattlesnake & Collier (ASW))

Map Location 3

Shell

3835 White Lake Boulevard

6 Stations – 12 pumps



87 Octane	89 Octane	93 Octane
\$2.16	\$2.53	\$2.80

Attachment: Attachment B - Market Analysis (14692 : 7-Eleven Rattlesnake & Collier (ASW))

Map Location 4

Marathon
8901 Davis Boulevard
8 Stations – 16 pumps



87 Octane	89 Octane	93 Octane
\$2.39	\$2.89	\$3.09

Attachment: Attachment B - Market Analysis (14692 : 7-Eleven Rattlesnake & Collier (ASW))

Map Location 5

Shell
3825 Tollgate Boulevard
6 Stations – 12 pumps



87 Octane	89 Octane	93 Octane
\$2.59	\$2.89	\$3.39

Attachment: Attachment B - Market Analysis (14692 : 7-Eleven Rattlesnake & Collier (ASW))

Map Location 6

Mobil
8900 Davis Boulevard
8 Stations – 16 pumps



87 Octane	89 Octane	93 Octane
\$2.40	\$2.90	\$3.00

Attachment: Attachment B - Market Analysis (14692 : 7-Eleven Rattlesnake & Collier (ASW))

Map Location 7

RaceTrac
8483 Collier Boulevard
8 Stations – 16 pumps



87 Octane	89 Octane	93 Octane
\$2.23	\$2.53	\$2.83

Attachment: Attachment B - Market Analysis (14692 : 7-Eleven Rattlesnake & Collier (ASW))

Map Location 8

RaceTrac

11700 Tamiami Trail East

8 Stations – 16 pumps



87 Octane	89 Octane	93 Octane
\$2.00	\$2.30	\$2.60

Attachment: Attachment B - Market Analysis (14692 : 7-Eleven Rattlesnake & Collier (ASW))

Map Location 9

WaWa

12456 Tamiami Trail East

8 Stations – 16 pumps



87 Octane	89 Octane	93 Octane
\$2.00	\$2.30	\$3.60

Attachment: Attachment B - Market Analysis (14692 : 7-Eleven Rattlesnake & Collier (ASW))

Map Location 10

7-11 Mobile

12750 Tamiami Trail East

6 Stations – 12 pumps



87 Octane	89 Octane	93 Octane
\$2.69	\$3.00	\$3.30

Attachment: Attachment B - Market Analysis (14692 : 7-Eleven Rattlesnake & Collier (ASW))

Map Location 11

Circle K - Shell

12800 Tamiami Trail East

4 Stations – 8 pumps



87 Octane	89 Octane	93 Octane
\$2.69	\$3.06	\$3.31

Attachment: Attachment B - Market Analysis (14692 : 7-Eleven Rattlesnake & Collier (ASW))

Map Location 12

Murphy Oil

6630 Collier Boulevard

8 Stations – 16 pumps



87 Octane	89 Octane	93 Octane
\$1.96	\$2.26	\$2.56

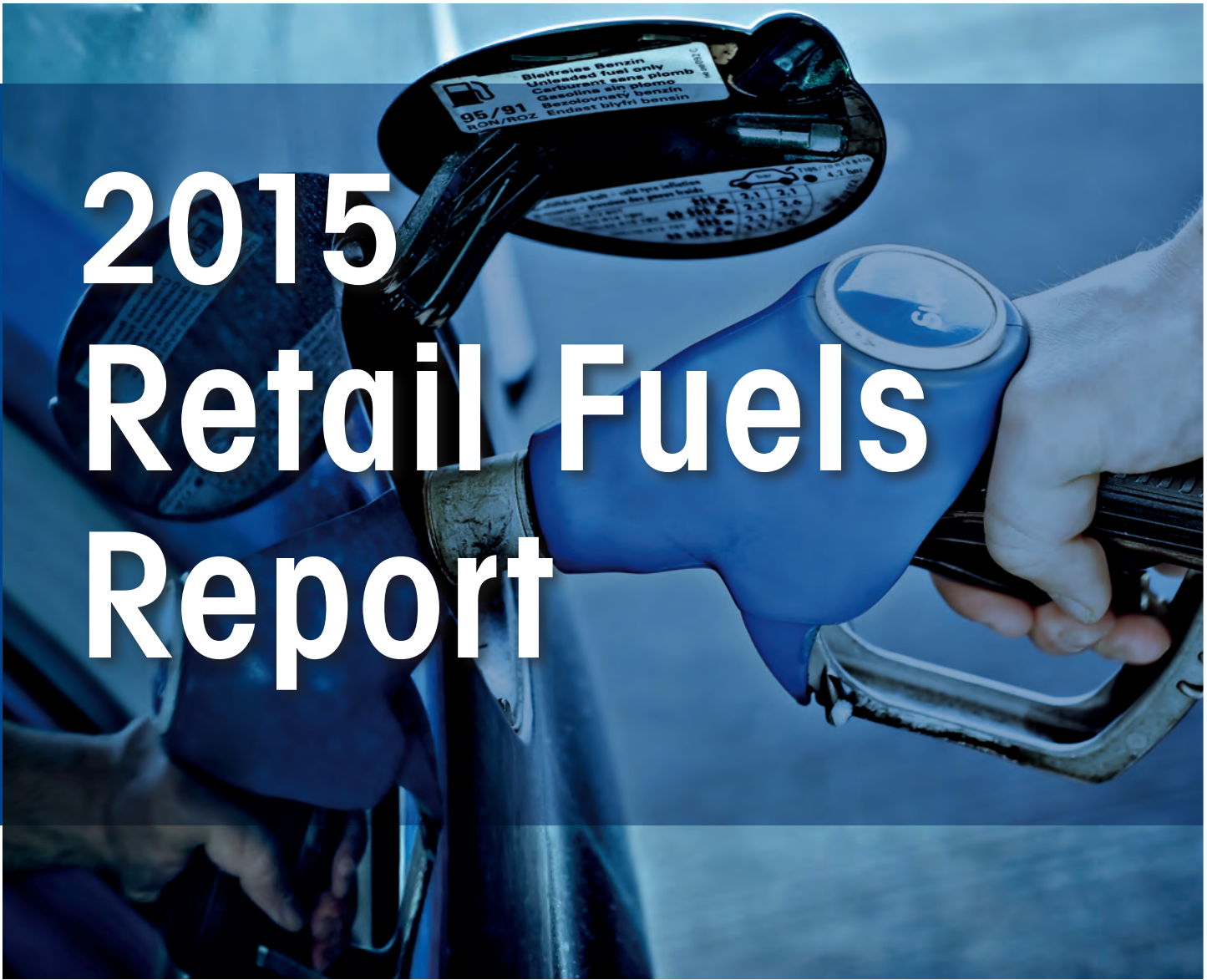
Attachment: Attachment B - Market Analysis (14692 : 7-Eleven Rattlesnake & Collier (ASW))

APPENDIX D

Attachment: Attachment B - Market Analysis (14692 : 7-Eleven Rattlesnake & Collier (ASW))



NACS[®]



2015 Retail Fuels Report

Attachment: Attachment B - Market Analysis (14692 : 7-Eleven Rattlesnake & Collier (ASW))

Major Oil Keeps Its Brand Presence

While the major oil companies are withdrawing from retail operations, their brands remain. In fact, roughly half of retail outlets sell fuel under the brand of one of the 15 largest refiner-suppliers. Virtually all of these branded locations are operated by independent entrepreneurs who have signed a supply contract with a particular refiner/distributor to sell a specific brand of fuel, but these retailers do not share in the profit/loss of their suppliers.

The remaining 50% sold “unbranded” fuel. These stations often are owned by companies that have established their own fuel brand (i.e., QuikTrip, Wawa, 7-Eleven) and purchase fuels either on the open market or via unbranded contracts with a refiner/distributor.

Other Retail Channels Sell Fuels

Convenience stores sell more than 80% of the fuels purchased in the United States, and their dominance continues to grow. Over the past decade, the number of convenience stores selling fuels has grown by 15% (from 110,895 to 127,588 stores). Meanwhile, the overall number of fueling locations has dropped.

There were 152,995 total retail fueling sites in the United States in 2013, the last year measured by the now-defunct *National Petroleum News*’ Market-Facts. This was a steep and steady decline since 1994, when the station count topped 202,800 sites.

Another channel also has seen growth over the past decade: big-box grocery stores and mass merchandising stores, otherwise known as “hypermarkets.” As of May 2014, the 5,236 hypermarket retail fueling sites sold an estimated 13.8% of the motor fuels (gasoline) purchased in the United States, according to Energy Analysts International. **These sites sell approximately 278,000 gallons per month, more than twice the volume of a traditional fuels retailer.**

The top five hypermarkets selling fuel, by store count:

- Kroger (1,220)
- Walmart (999 stations, mainly Murphy USA with small mix of others; up to 200 new Murphy USA sites are due by end of 2015 per agreement)
- Sam’s Club (505)
- Costco (381)
- Safeway (346)

(Source: Energy Analysts International)

The remainder of fuels sales in the United States comes from traditional service stations without convenience operations and very low-volume fueling sites, such as at marinas.

APPENDIX E

Attachment: Attachment B - Market Analysis (14692 : 7-Eleven Rattlesnake & Collier (ASW))



Convenience Stores Keep Drivers Fueled

For the foreseeable future, gasoline will be the fuel of choice for U.S. drivers.



There are **222 MILLION DRIVERS** in the United States,



and there are **122,000 CONVENIENCE STORES**



that sell **80%** of the gasoline sold in the country to keep U.S. drivers fueled up and on their way.

Snapshot of the average U.S. driver:



33 Miles

The average driver travels about **33 miles per day**



86%

Most Americans get to work each day by driving or carpooling



52 Minutes

The average driver commutes **26 minutes each way** to/from work



530 Gallons

Americans consume about **530 gallons of gas** per year



59%

of gas customers say that price is the main consideration for where they fuel up



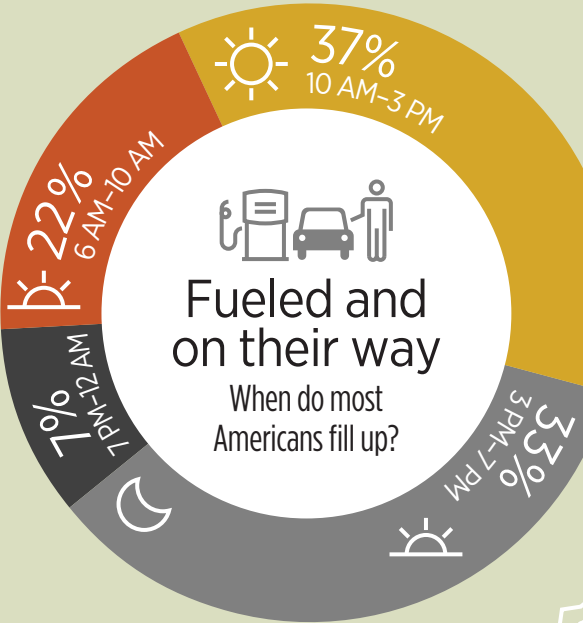
75%

of gas customers pay with a credit or debit card



44%

also go inside the convenience store to buy food and beverages, or use the ATM or restroom



(Sources: NACS Fuels Resource Center; U.S. Energy Information Administration; U.S. Census Bureau)

APPENDIX F



2726 OAK RIDGE COURT, SUITE 503
FORT MYERS, FL 33901-9356
OFFICE 239.278.3090
FAX 239.278.1906

TRAFFIC ENGINEERING
TRANSPORTATION PLANNING
SIGNAL SYSTEMS/DESIGN

TRAFFIC IMPACT STATEMENT

FOR

GAS/CONVENIENCE STORE @ RATTLESNAKE HAMMOCK & COLLIER COLLIER COUNTY, FLORIDA

**(MAJOR STUDY REVIEW - \$1,500)
(METHODOLOGY REVIEW FEE - \$500)**

PROJECT NO. F2003.08

**PREPARED BY:
TR Transportation Consultants, Inc.
Certificate of Authorization Number: 27003
2726 Oak Ridge Court, Suite 503
Fort Myers, Florida 33901-9356
(239) 278-3090**

March 13, 2020

Attachment: Attachment B - Market Analysis (14692 : 7-Eleven Rattlesnake & Collier (ASW))

Table 3
Pass-by Trip Reduction Factors
Gas/Convenience Store @ Rattlesnake Hammock & Collier

Land Use	Percentage Trip Reduction
Gasoline/Service Station With Convenience Market	50% AM/ PM

Table 4
Trip Generation – New Trips
Gas/Convenience Store @ Rattlesnake Hammock & Collier

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily (2-way)
	In	Out	Total	In	Out	Total	
Super Convenience Market/Gas Station (4,633 Sq. Ft. C-Store & 16 Re-Fueling Positions)	200	200	400	171	171	342	3,881
Less 50% Pass-By	-100	-100	-200	-85	-85	-170	-1,941
New Trips	100	100	200	86	86	172	1,940

The trips the proposed development is anticipated to generate as shown in Table 4 were then assigned to the surrounding roadway network. The new trips anticipated to be added to the surrounding roadway network were assigned based upon the routes drivers are anticipated to utilize to approach the subject site. Figure A-1, included in the Appendix of this report, illustrates the percent project traffic distribution and assignment of the net new project trips. Figure A-2, included in the Appendix of this report, illustrates the percent project traffic distribution and assignment of pass-by trips. **Figure 2** illustrates the resulting assignment of all project related trips (net new + pass-by).

V. PROJECTED CONCURRENCY

In order to determine which roadway segments surrounding the site will be significantly impacted, **Table 1A**, contained in the Appendix, was created. This table indicates which roadway links will accommodate an amount of project traffic greater than the 2%-2%-3% Significance Test. The net new trips generated as a result of the proposed rezoning

APPENDIX G

INDUSTRY NEWS MERGERS & ACQUISITIONS FUELS DATA SPONSORED CONTENT EVENTS

Beverages Foodservice General Merchandise Services Snacks & Candy Tobacco



MERCHANDISING MADE EASY
Torches & fuel all in one place.

CLICK HERE for
WHOLESALE PRICING



Print > CSP Magazine
July 2013

Fueling Sales Inside and Out

An exclusive peek at latest VideoMining heat-map study reveals challenge of pump-to-store conversion, opportunity of layout.

By Samantha Oller, Senior Editor/Fuels, CSP

More than 25 years ago, pay at the pump debuted in the United States, introducing great convenience to motorists and a big conundrum to retailers. If you enable customers to pay for fuel at the pump, how do you persuade them to come inside the store to buy higher-margin items?

If recent research from VideoMiningCorp. is any indication, it's a challenge that fuel retailers have still not mastered.

"Sixty-nine percent of gas customers are just paying for gas and leaving, regardless of whether they are paying at the pump or prepaying [inside the store]," says Priya Baboo, executive vice president of shopper insights & strategy for Video-Mining Corp., State College, Pa., which produces the annual C-Store Shopper Insights (CSI) Program, a research effort that documents the c-store shopping trip. This fourth iteration of the study, conducted in late summer 2012 and shared exclusively with CSP, included 10 chains representing 144 stores in 20 markets.

Consider that for every 100 gasoline customers, 64 pay at the pump, and of the 64 pay only for gas and leave, according to Video Mining. Let's put aside this latter group—"It is much harder to convince someone who is just thinking of pumping gas to walk into the store, because they may be in a hurry," Baboo says—and focus solely on the opportunity presented by the others.

The 36 fuel customers who walk into the store to pay are truly "low-hanging fruit," she insists, "because in the store you have a better opportunity of converting them. But unfortunately, we're not leveraging that opportunity." How poor is that leverage? Less than a third of these customers will ultimately make an in-store purchase.

Video Mining evaluates this type of c-store shopper behavior through a combination of technologies. Ceiling-mounted cameras track customers' movements through the c-store, while proprietary video-analysis software processes millions of hours of shopping trips. This data is cross-referenced with point-of-sale data to correlate store traffic with purchasing behavior and generate insights on everything from the basics (average time spent in store, average in-store basket) to the rates at which customers shopped particular categories and made a purchase.



Today's To

More New Engla
Petroleum Mark



Attachment: Attachment B - Market Analysis (14692 : 7-Eleven Rattlesnake & Collier (ASW))

HEX PACKAGE HAMMOCK PARK MPUD

**WAIVER FOR SEPARATION
REQUIREMENTS FOR AUTOMOBILE
SERVICE STATIONS**

PL20190002183

ASW APPLICATION FORM



COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DIVISION
www.colliergov.net

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

**PETITION FOR WAIVER FROM SEPARATION REQUIREMENTS FOR AUTOMOBILE
SERVICE STATIONS**

LDC subsection 5.05.05 B & Code of Laws section 2-83 – 2-90
Chapter 6 G. of the Administrative Code

PETITION NO (PL)
PROJECT NAME
DATE PROCESSED

To be completed by staff

APPLICANT CONTACT INFORMATION

Name of Applicant(s): Alexis Crespo, AICP & Rich Yovanovich, Esq.
Address: 28100 Bonita Grande Dr. #305 City: Bonita Springs State: FL ZIP: 34135
Telephone: 239-405-7777 Cell: n/a Fax: 239-405-7899
E-Mail Address: alexis.crespo@waldropengineering.com & Ryovanovich@cyklawfirm.com

Name of Owner(s): Hammock Park Apartments, LLC
Address: 7742 Alico Road City: Fort Myers State: FL ZIP: 33912
Telephone: _____ Cell: _____ Fax: _____
E-Mail Address: david@torrescompanies.com

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: 00416720000 Section/Township/Range: 14 / 15 / 26
Subdivision: _____ Unit: _____ Lot: _____ Block: _____
Metes & Bounds Description: _____
Address/general location of subject property: Northeast corner of CR 951 and Rattlesnake Hammock Road

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

Attachment: Attachment C - Application and Backup Materials (14692 : 7-Eleven Rattlesnake & Collier (ASW))



COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DIVISION
www.colliergov.net

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

ZONING INFORMATION

Current Zoning of subject property: MPUD

Adjacent property information:

	Zoning	Land Use
N	MPUD	Commercial/Mixed Use
S	PUD	ROW; Commercial
E	MPUD	ALF
W	PUD	ROW; Commercial

WAIVER REQUEST DETAIL

Please address the following waiver request details on an attached separate sheet:

1. What is the extent of the waiver being requested (in linear feet) from the required 500 foot separation? (NOTE: This measurement is the shortest distance between the nearest points of any two lots occupied by an Automobile Service Station, or for which a building permit has been issued.)
2. The Office of the Hearing Examiner may grant a waiver for part or all of the minimum separation requirements set forth in LDC subsection 5.05.05 B, if it is demonstrated by the applicant and determined by the Office of the Hearing Examiner that the site proposed for development of an Automobile Service Station is separated from another Automobile Service Station by natural or man-made boundaries, structures or other features which offset or limit the necessity for such minimum distance requirements.

Staff's analysis and subsequent recommendation, and the Office of the Hearing Examiner's determination, are based on the following criteria as provided by LDC section 5.05.05 B. Please provide a narrative, on a separate sheet attached to this application, describing how the waiver complies with the criteria listed below to the extent you wish as it pertains to the proposed use.

- a. Describe the nature and type of natural or man-made boundary, structure, or other feature lying between the proposed establishment and an existing Automobile Service Station which may, as determined by the reviewing body, lessen the impact of the proposed service station. Such boundary, structure, or other feature may include, but is not limited to, lakes, marshes, nondevelopable wetlands, designated preserve areas, canals, and a minimum of a four-lane arterial or collector right-of-way.
- b. Whether or not the Automobile Service Station is only engaged in the servicing of automobiles during regular, daytime business hours, or if in addition to or in lieu of servicing, the station sells food, gasoline and other convenience items during daytime, nighttime, or on a 24-hour basis.
- c. Whether the Automobile Service Station is located within a shopping center primarily accessed by a driveway or if it fronts on and is accessed directly from a platted road right-of-way.
- d. Whether or not the granting of the distance waiver will have an adverse impact on adjacent land uses especially residential land uses.



COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DIVISION
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:
Waiver from Separation Requirements for Automobile Service Stations
Chapter 6 G. 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 from website for current form)	1	☒	☐
Completed Addressing Checklist	1	☒	☐
Pre-Application meeting notes	1	☒	☐
Conceptual Site Plan 24 in. x 36 in., along with one reduced copy 8 ½ in. x 11in.	1	☒	☐
Warranty Deed	2	☒	☐
Affidavit of Authorization , signed and notarized	2	☒	☐
Environmental Data Requirements, if required	3	☐	☒
Aerial photographs	5	☒	☐
Electronic copy of all documents and plans *Please advise: The Office of the Hearing Examiner requires all materials to be submitted electronically in PDF format.	1	☒	☐
Letter of no objection from the United States Postal Service. Contact Robert M. Skebe at (239) 435-2122.	1	☒	☐
Written Market Study Analysis	1	☒	☐
*If located in the Bayshore/Gateway triangle Redevelopment Area, 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.



COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DIVISION
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	☒	Environmental Review: See Pre-Application Meeting Sign-In Sheet
☒	Addressing: Annis Moxam	☐	Graphics: Mariam Ocheltree
☐	City of Naples: Robin Singer, Planning Director	☐	Historical Review
☐	Comprehensive Planning: See Pre-Application Meeting Sign-In Sheet	☐	Immokalee Water/Sewer District:
☐	Conservancy of SWFL: Nichole Ryan	☐	Parks and Recreation: Vicky Ahmad
☒	County Attorney's Office: Heidi Ashton-Cicko	☒	Transportation Pathways: Stacey Revay
☐	Emergency Management: Dan Summers; and/or EMS: Artie Bay	☐	School District (Residential Components): Amy Heartlock
☐	Engineering: Alison Bradford	☐	Transportation Planning: John Podczerwinsky
☐	Other:	☐	Utilities Engineering: Kris VanLengen

FEE REQUIREMENTS

All checks payable to: Board of County Commissioners

- ☐ **Pre-Application Meeting:** \$500.00 (to be credited towards the application fee if the application is filed within 9 months of pre-application meeting)
- ☐ **Automobile Service Station Separation Requirement Waiver:** \$1,000.00
- ☐ **Estimated Legal Advertising fee for the Office of the Hearing Examiner or the BZA:** \$500.00

Agent/Owner Signature

Alexis Crespo, AICP

Applicant/Owner Name (please print)

11/17/20

Date

COVER LETTER/ REQUEST NARRATIVE

**HAMMOCK PARK MPUD
AUTOMOBILE SERVICE STATION SEPARATION WAIVER
NARRATIVE**

I. Request

Wilton Land Company, LLC (Applicant) is requesting approval of Automobile Service Station Separation Waiver to allow for the development of convenience store, carwash, and 8 fuel pumps with 16 fueling positions within the Hammock Park Mixed Use Planned Development (MPUD). The proposed station is located at the northeast corner of CR 951 and Rattlesnake Hammock Road in unincorporated Collier County, Florida.

The request requires approval of a waiver from the separation requirements for automobile service stations contained in Section 5.05.05 of the Land Development Code, as the proposed station will be within 363+/-feet of the property line of an existing Race Trac gas station at the southwest corner of CR 951 and Rattlesnake Hammock Road.

II. Property Information

The overall Hammock Park MPUD is 19+/- acres in size and is currently vacant. The Property is zoned MPUD per Ordinance 2020-39 and is designated with the Urban Mixed Use Activity Center #7 on the Future Land Use Map. The zoning and future land use allow for diverse and intensive commercial uses to serve the immediate area and Collier County as a whole.

The MPUD allows for the development of up to 160,000 SF of non-residential uses; OR 80,000 SF if non-residential uses and 265 multi-family apartment units. Gasoline services stations (SIC Group 5541) are explicitly permitted in the commercial tracts within the MPUD.

The overall MPUD has three (3) points of ingress/egress as shown on the approved PUD Master Plan, including two (2) points of access from Rattlesnake Hammock Road, and a third access to the north into the Good Turn CPUD, which provides for shared access to CR 951 via the existing bridge.

III. Proposed Site Plan

The proposed automobile service station is proposed at the southwest corner of the MPUD, at the CR 951 and Rattlesnake Hammock intersection as shown on the attached Automobile Service Station Waiver Exhibit.

The Exhibit demonstrates a fuel canopy along the CR 951 frontage containing eight (8) pumps/16 fueling positions. The associated retail store is located in the eastern portion of the parcel. Immediately east of the store is a proposed carwash. The location of the store provides for effective screening of the carwash from CR 951 via the intervening building.

Access will be provided through internal drives connecting the service station with the future commercial outparcel to the north within the MPUD. Further north, the overall MPUD will connect to CR 951 via the existing bridge being shared with the Good Turn CPUD. Additional access is provided directly to Rattlesnake Hammock to facilitate convenient access for westbound traffic leaving the Hacienda Lakes MPUD.

25-foot enhanced right-of-way buffers are provided along both CR 951 and Rattlesnake Hammock Road in accordance with LDC Section 5.05.05.E. Additionally, due to the recent approval of multi-family apartments on the eastern C/MU portion of the MPUD, a 30-foot wide residential buffer is provided to comply with the supplementary standards in LDC Section 5.05.05.D.

The dumpster location is fully screened and will comply with the integrated design and color scheme of all principle structures on the site.

The enclosed exhibit demonstrates the service station will comply with all design standards and regulations pertaining to automobile service stations to uphold the County's intent for aesthetically pleasing and highly functional gas stations to serve the residents and travelling public.

A market study/needs analysis is included in this submittal demonstrating the addition of the proposed gas station to the immediate market area will not adversely affect the balance of gasoline supply while addressing the demand coming from the future growth and make significant economic contributions to Collier County in terms of gas taxes, sales taxes and property taxes.

IV. Waiver Criteria

The following is a detailed analysis of this request's compliance with the variance review criteria set forth in LDC Section 5.05.05.2

- a. *Describe the nature and type of natural or man-made boundary, structure, or other feature lying between the proposed establishment and an existing Automobile Service Station which may, as determined by the reviewing body, lessen the impact of the proposed service station. Such boundary, structure, or other feature may include, but is not limited to, lakes, marshes, nondevelopable wetlands, designated preserve areas, canals, and a minimum of a four-lane arterial or collector right-of-way.*

RESPONSE: There is a manmade boundary (CR 951) between the proposed automobile services station and the existing Racetrac at the southwest corner of CR 951 and Rattlesnake Hammock Road. CR 951 is a six-lane arterial roadway with a 100+/-foot right-of-way width. The proposed automobile service station is also separated by the CR 951 canal, which provides another 100+/-feet of separation between the service stations. Thus, there is substantial separation and infrastructure that provide boundaries between the gas stations.

- b. *Whether or not the Automobile Service Station is only engaged in the servicing of automobiles during regular, daytime business hours, or if in addition to or in lieu of servicing, the station sells food, gasoline and other convenience items during daytime, nighttime, or on a 24-hour basis.*

RESPONSE: The proposed automobile service station is a 24-hour operation providing food, gasoline and other items. There is no automobile servicing or repair proposed. The site's location along an arterial roadway and adjacent to existing and planned commercial uses directly supports the proposed 24-hour operation to ensure compatibility. If residential uses are developed internal to the site in the C/MU tract to the east of the proposed service station, a 30' wide buffer will be provided as shown on the Waiver Exhibit.

- c. *Whether the Automobile Service Station is located within a shopping center primarily accessed by a driveway or if it fronts on and is accessed directly from a platted road right-of-way.*

RESPONSE: The proposed automobile service station will be located in an outparcel within a MPUD. The station will be accessed from Rattlesnake Hammock, a county-maintained platted roadway, as well as the internal roadway network within the MPUD, that connects to CR 951 via an existing bridge just north of the Hammock Park MPUD boundary, within the Good Turn CPUD.

- d. *Whether or not the granting of the distance waiver will have an adverse impact on adjacent land uses especially residential land uses.*

NARRATIVE: Buffers, lighting, architecture, and setbacks of the site design are intended to meet or exceed the enhanced code requirements for facilities with fuel pumps according to LDC Section 5.05.05

The only abutting residential development would be future apartments on the eastern portion of the MPUD (internal to the same project), which will be buffered in accordance with the LDC. There are no abutting residential uses, either existing or permitted, that are outside the Hammock Park MPUD boundary.

Access is conveniently provided from both Rattlesnake Hammock Road and from the CR 951 via an existing bridge north of the MPUD.

V. Conclusion

In conclusion, the Applicant's request will allow for an automobile service station at the northeast corner of CR 951 and Rattlesnake Hammock Road, and within 360 feet of an existing Race Trac at the southwest corner of the intersection.

The service stations will be separated by the significant CR 951 right-of-way and canal system and are on opposite sides of the road. The proposed station will facilitate convenient access to fuel for northbound traffic along CR 951 and westbound traffic along Rattlesnake Hammock Road.

All enhanced and supplementary standards set forth in LDC Section 5.05.05 will be met by the proposed design.

The Applicant has demonstrated market demand for the station based upon a detailed needs analysis.

For these reasons, the Applicant respectfully requests approval of this Automobile Service Station Waiver.

ADDRESSING CHECKLIST



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) | ☐ SDP (Site Development Plan) |
| ☐ BD (Boat Dock Extension) | ☐ SDPA (SDP Amendment) |
| ☐ Carnival/Circus Permit | ☐ SDPI (Insubstantial Change to SDP) |
| ☐ CU (Conditional Use) | ☐ SIP (Site Improvement Plan) |
| ☐ EXP (Excavation Permit) | ☐ SIPI (Insubstantial Change to SIP) |
| ☐ FP (Final Plat) | ☐ SNR (Street Name Change) |
| ☐ LLA (Lot Line Adjustment) | ☐ SNC (Street Name Change – Unplatted) |
| ☐ PNC (Project Name Change) | ☐ TDR (Transfer of Development Rights) |
| ☐ PPL (Plans & Plat Review) | ☐ VA (Variance) |
| ☐ PSP (Preliminary Subdivision Plat) | ☐ VRP (Vegetation Removal Permit) |
| ☐ PUD Rezone | ☐ VRSFP (Vegetation Removal & Site Fill Permit) |
| ☐ RZ (Standard Rezone) | ☒ OTHER <u>AUTO SERVICE WAIVER (ASW)</u> |

LEGAL DESCRIPTION of subject property or properties (copy of lengthy description may be attached)

14 50 26 S1/2 OF SW1/4 OF SW1/4 LESS R/W, AND W80FT OF S1/2 OF SE1/4 OF SW1/4, LESS THAT PORTION FOR R/W AS DESC IN OR 4336 PG 3681, AND N30FT OF N1/2 OF NW1/4 OF SEC 23-50-26 LESS R/W

FOLIO (Property ID) NUMBER(s) of above (attach to, or associate with, legal description if more than one)

416720000

STREET ADDRESS or ADDRESSES (as applicable, if already assigned)

8530 COLLIER BLVD

- **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)

~~HAMMOCK PARK AUTOMOBILE SERVICE STATION~~

PROPOSED PROJECT NAME (if applicable)

HAMMOCK PARK AUTOMOBILE SERVICE STATION (Not approved at this time)

PROPOSED STREET NAMES (if applicable)

N/A

SITE DEVELOPMENT PLAN NUMBER (for existing projects/sites only)

SDP ____ - ____ or AR or PL # PL20190002183 (PUDA)



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)

N/A

Please Return Approved Checklist By: ☒ Email ☐ Fax ☐ Personally picked up

Applicant Name: ALEXIS CRESO

Phone: 239-850-8525 Email/Fax: ALEXIS.CRESPO@WALDROPENGINEERING.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 416720000

Folio Number _____

Folio Number _____

Folio Number _____

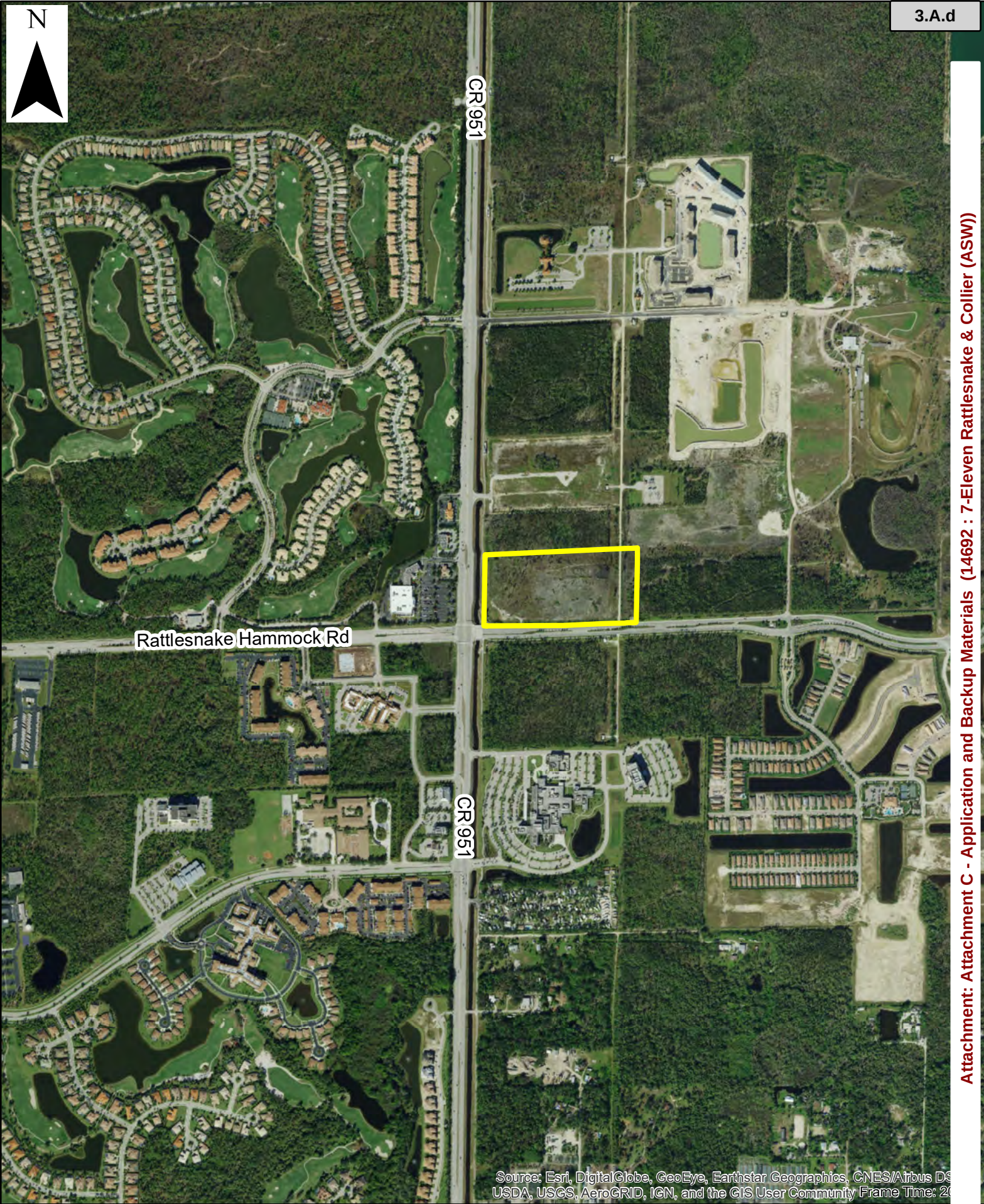
Folio Number _____

Folio Number _____

Approved by: *Chela S.* Date: 11/09/2020

Updated by: _____ Date: _____

**IF OLDER THAN 6 MONTHS, FORM MUST BE
UPDATED OR NEW FORM SUBMITTED**



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community Frame Time: 20

PRE- APPLICATION MEETING NOTES



COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

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

Pre-Application Meeting Notes

Petition Type: ASW

Date and Time: Wednesday, 10/2/19, 11:00 A.M.

Assigned Planner: Gilbert Martinez

Engineering Manager (for PPL's and FP's): _____

Project Information

Project Name: 7-Eleven Rattlesnake Hammock & Collier (ASW)

PL #: PL20190002183

Property ID #: 416720000 Current Zoning: CPUD
8530

Project Address: Collier Blvd City: Naples State: FL Zip: 34114

Applicant: Sharon Hrabak, Quattrone & Associates, Inc
Quattrone & Associates, Inc

Agent Name: M. Salberg & A. Quattrone Phone: (239) 936-5222
4301 Veronica Fort

Agent/Firm Address: Shoemaker Blvd City: Meyers State: FL Zip: 33916

Property Owner: Wilton Land Company, LLC

Please provide the following, if applicable:

- i. Total Acreage: _____
- ii. Proposed # of Residential Units: _____
- iii. Proposed Commercial Square Footage: _____
- iv. For Amendments, indicate the original petition number: _____
- v. If there is an Ordinance or Resolution associated with this project, please indicate the type and number: _____
- vi. If the project is within a Plat, provide the name and AR#/PL#: _____



COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

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

Meeting Notes

As of 10/16/2017 all Zoning applications have revised applications, and your associated Application is included in your notes; additionally a *new Property Ownership Disclosure Form is required for all applications. A copy of this new form is included in your pre-app

Note – link is <https://www.colliergov.net/Home/ShowDocument?id=75093>.

*** ENVIRONMENTAL (Craig) Please provide ENVIRONMENTAL DATA
FLUCCS MAPPING LISTED SPECIES SURVEY 15% PRESERVE
REQUIREMENT. ADDRESS COMPLIANCE WITH CCME OBJECTIVE
G.1.1 CONFIRM THE LOCATIONS OF WELLS ON THE
PROPERTY AND COMPLIANCE LDC 3.06.00. SEE CHECKLIST.

Landscape Review - Please see notes in PL20190002134
(SDP meeting notes)

*** Please see attached Environmental Checklist

If Site is within the City of Naples Water Service Area please send to Naples Utilities and Planning Departments. Then, if the petition is submitted, we are to send it (by email) to the four persons below in their Utilities and Planning Depts. - along with a request that they send us a letter or email of "no objection" to the petition. Bob Middleton RMiddleton@naplesgov.com Allyson Holland AMHolland@naplesgov.com Robin Singer RSinger@naplesgov.com Erica Martin emartin@naplesgov.com

Disclaimer: Information provided by staff to applicant during the Pre-Application Meeting is based on the best available data at the time of the meeting and may not fully inform the applicant of issues that could arise during the process. The Administrative Code and LDC dictates the regulations which all applications must satisfy. Any checklists provided of required data for an application may not fully outline what is needed. It is the applicant's responsibility to provide all required data.

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

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

Meeting Notes

Stormwater^{Planning}: No Issues; currently under existing TUD; discharge into adjacent Henderson Creek canal

Zoning; PL 2018 2813 is currently under Review. It is A PUDA TO THE HAMMOCK PARK Commerce Center. Its intent is TO Amend the Existing Commercial PUD TO A Mixed Use PUD. (Commercial - Residential).

The Applicant was provided ^{Contact} Information OF The Agent. They may wish TO Consider "ASW" AS A deviation IN THE PUDA Application.

If not possible they will apply for The ASW.

Other required documentation for submittal (not listed on application):

Disclaimer: Information provided by staff to applicant during the Pre-Application Meeting is based on the best available data at the time of the meeting and may not fully inform the applicant of issues that could arise during the process. The Administrative Code and LDC dictates the regulations which all applications must satisfy. Any checklists provided of required data for an application may not fully outline what is needed. It is the applicant's responsibility to provide all required data.

Attachment: Attachment C - Application and Backup Materials (14692 : 7-Eleven Rattlesnake & Collier (ASW))



COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

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

Pre-Application Meeting Sign-In Sheet
PL# PL20190002183

Collier County Contact Information:

Name	Review Discipline	Phone	Email
☐ David Anthony	Environmental Review	252-2497	david.anthony@colliercountyfl.gov
☐ Claudine Auclair	GMD Operations and Regulatory Management	252-5887	claudine.auclair@colliercountyfl.gov
☐ Sally Ashkar	Assistant County Attorney	252-8842	sally.ashkar@colliercountyfl.gov
☐ Steve Baluch	Transportation Planning	252-2361	stephen.baluch@colliercountyfl.gov
☐ Ray Bellows	Zoning, Planning Manager	252-2463	raymond.bellows@colliercountyfl.gov
☐ Laurie Beard	PUD Monitoring	252-5782	laurie.beard@colliercountyfl.gov
☒ Craig Brown	Environmental Specialist	252-2548	craig.brown@colliercountyfl.gov
☐ Alexandra Casanova	Operations Coordinator	252-2658	Alexandra.casanova@colliercountyfl.gov
☐ Heidi Ashton Cicko	Managing Asst. County Attorney	252-8773	heidi.ashton@colliercountyfl.gov
☒ Thomas Clarke	Operations Coordinator	252-2584	thomas.clarke@colliercountyfl.gov
☐ Jamie Cook	Prin. Environmental Specialist	252-6290	Jaime.cook@colliercountyfl.gov
☐ Eric Fey, P.E.	Utility Planning	252-1037	eric.fey@colliercountyfl.gov
☐ Tim Finn, AICP	Zoning Division	252-4312	timothy.finn@colliercountyfl.gov
☐ Sue Faulkner	Comprehensive Planning	252-5715	sue.faulkner@colliercountyfl.gov
☐ Jeremy Frantz	LDC Manager	252-2305	Jeremy.Frantz@colliercountyfl.gov
☐ James French	Growth Management Deputy Department Head	252-5717	james.french@colliercountyfl.gov
☐ Michael Gibbons	Structural/Residential Plan Review	252-2426	michael.gibbons@colliercountyfl.gov
☐ Storm Gewirtz, P.E.	Engineering Stormwater	252-2434	storm.gewirtz@colliercountyfl.gov
☐ Nancy Gundlach, AICP, PLA	Zoning Division	252-2484	nancy.gundlach@colliercountyfl.gov
☐ Richard Henderlong	Principal Planner	252-2464	richard.henderlong@colliercountyfl.gov
☐ John Houldsworth	Engineering Subdivision	252-5757	john.houldsworth@colliercountyfl.gov
☐ Alicia Humphries	Right-Of-Way Permitting	252-2326	alicia.humphries@colliercountyfl.gov
☐ Erin Josephitis	Environmental Specialist, Senior	252-2915	erin.josephitis@colliercountyfl.gov
☐ Marcia Kendall	Comprehensive Planning	252-2387	marcia.kendall@colliercountyfl.gov
☐ John Kelly	Zoning Senior Planner	252-5719	john.kelly@colliercountyfl.gov
☐ Diane Lynch	Operations Analyst	252-8243	diane.lynch@colliercountyfl.gov
☒ Gil Martinez	Zoning Principal Planner	252-4211	gilbert.martinez@colliercountyfl.gov
☐ Thomas Mastroberto	Greater Naples Fire	252-7348	thomas.mastroberto@colliercountyfl.gov



COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

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

☐	Jack McKenna, P.E.	Engineering Services	252-2911	jack.mckenna@colliercountyfl.gov
☐	Matt McLean, P.E.	Development Review Director	252-8279	matthew.mclean@colliercountyfl.gov
☐	Michele Mosca, AICP	Capital Project Planning	252-2466	michele.mosca@colliercountyfl.gov
☐	Annis Moxam	Addressing	252-5519	annis.moxam@colliercountyfl.gov
☒	Richard Orth	Stormwater Planning	252-5092	richard.orth@colliercountyfl.gov
☐	Brandy Otero	Transit	252-5859	brandy.otero@colliercountyfl.gov
☐	Brandi Pollard	Utility Impact fees	252-6237	brandi.pollard@colliercountyfl.gov
☐	Todd Riggall	North Collier Fire	597-9227	triggall@northcollierfire.com
☐	Brett Rosenblum, P.E.	Development Review Principal Project Manager	252-2905	brett.rosenblum@colliercountyfl.gov
☐	James Sabo, AICP	Zoning Principal Planner	252-2708	james.sabo@colliergo.net
☐	Michael Sawyer	Transportation Planning	252-2926	michael.sawyer@colliercountyfl.gov
☐	Corby Schmidt, AICP	Comprehensive Planning	252-2944	corby.schmidt@colliercountyfl.gov
☐	Chris Scott, AICP	Development Review - Zoning	252-2460	chris.scott@colliercountyfl.gov
☐	Linda Simmons	North Collier Fire	252-2311	Linda.Simmons@colliercountyfl.gov
☐	Peter Shawinsky	Architectural Review	252-8523	peter.shawinsky@colliercountyfl.gov
☐	Camden Smith	Zoning Operations Manager	252-1042	camden.smith@colliercountyfl.gov
☐	Mark Strain	Hearing Examiner/CCPC	252-4446	mark.strain@colliercountyfl.gov
☐	Mark Templeton	Landscape Review	252-2475	mark.templeton@colliercountyfl.gov
☐	Jessica Velasco	Zoning Division Operations	252-2584	jessica.velasco@colliercountyfl.gov
☐	Jon Walsh, P.E.	Building Review	252-2962	jonathan.walsh@colliercountyfl.gov
☐	David Weeks, AICP	Comprehensive Planning Future Land Use Consistency	252-2306	david.weeks@colliercountyfl.gov
☐	Kirsten Wilkie	Environmental Review Manager	252-5518	kirsten.wilkie@colliercountyfl.gov
☐	Christine Willoughby	Development Review - Zoning	252-5748	christine.willoughby@colliercountyfl.gov
☐	Daniel Zunzunegui	North Collier Fire	252-2310	Daniel.Zunzunegui@colliercountyfl.gov

Additional Attendee Contact Information:

Name	Representing	Phone	Email
Lauren Evans	Creighton Construction		Levens@creightondev.com
Al Quattro	PAI		Al@QAInc.net

Environmental Data Checklist

Project Name 7-Eleven Rattlesnake Hammock + Collier

The Environmental Data requirements can be found in LDC Section 3.08.00

1. Provide the EIS fee if PUD or CU.
2. WHO AND WHAT COMPANY PREPARED THE ENVIRONMENTAL DATA REPORT? Preparation of Environmental Data. Environmental Data Submittal Requirements shall be prepared by an individual with academic credentials and experience in the area of environmental sciences or natural resource management. Academic credentials and experience shall be a bachelor's or higher degree in one of the biological sciences with at least two years of ecological or biological professional experience in the State of Florida. **Please include revision dates on resubmittals.**
3. Identify on a current aerial, the location and acreage of all SFWMD jurisdictional wetlands according to the Florida Land Use Cover and Forms Classification System (FLUCFCS) and include this information on the SDF or final plat construction plans. Wetlands must be verified by the South Florida Water Management District (SFWMD) or Florida Department of Environmental Protection (DEP) prior to SDP or final plat construction plans approval. For sites in the **RFMU district**, provide an assessment in accordance with 3.05.07 F and identify on the FLUCFCS map the location of all high quality wetlands (wetlands having functionality scores of at least 0.65 WRAP or 0.7 UMAM) and their location within the proposed development plan. Sites with high quality wetlands must have their functionality scores verified by the SFWMD or DEP prior to first development order approval. Where functionality scores have not been verified by either the SFWMD or DEP, scores must be reviewed and accepted by County staff, consistent with State regulation.
4. SDP or final plat construction plans with impacts to five (5) or more acres of wetlands shall provide an analysis of potential water quality impacts of the project by evaluating water quality loadings expected from the project (post development conditions considering the proposed land uses and stormwater management controls) compared with water quality loadings of the project area as it exists in its **pre-development** conditions. The analysis shall be performed using methodologies approved by Federal and State water quality agencies, and must demonstrate no increase in nutrients (nitrogen and phosphorous) loadings in the post development scenario.
5. Where treated stormwater is allowed to be directed into preserves, show how the criteria in 3.05.07 H have been met.
6. Where **native vegetation** is retained on site, provide a topographic map to a half foot and, where possible, provide elevations within each of the FLUCFCS Codes identified on site. For SDP or final plat construction plans, include this information on the site plans. *Provide when treated stormwater is being directed into preserves (#5 above).*
7. Provide a wildlife survey for the nests of bald eagle and for **listed species known to inhabit** biological communities similar to those existing on site. The survey shall be conducted in accordance with the guidelines or recommendations of the Florida Fish and Wildlife Conservation Commission (FFWCC) and the U.S. Fish and Wildlife Service (USFWS). Survey times may be reduced or waived where an initial habitat assessment by the environmental consultant indicates that the likelihood of listed species occurrence is low, as determined by the FFWCC and USFWS. Where an initial habitat assessment by the environmental consultant indicates that the likelihood of listed species occurrence is low, the survey time may be reduced or waived by the County Manager or designee, when the project is not reviewed or technical assistance not provided by the FFWCC and USFWS. Additional survey time may be required if listed species are discovered
8. Provide a survey for listed plants identified in 3.04.03
9. Wildlife habitat management and monitoring plans in accordance with 3.04.00 shall be required where listed species are utilizing the site or where wildlife habitat management and monitoring plans are required by the FFWCC or USFWS. These plans shall describe how the project directs incompatible land uses away from listed

Attachment: Attachment C - Application and Backup Materials (14692 : 7-Eleven Rattlesnake & Collier (ASW))

species and their habitats. Identify the location of listed species nests, burrows, dens, foraging areas, and the location of any bald eagle nests or nest protection zones on the native vegetation aerial with FLUCFCS overlay for the site. Wildlife habitat management plans shall be included on the SDP or final plat construction plans. Bald eagle management plans are required for sites containing bald eagle nests or nest protection zones, copies of which shall be included on the SDP or final plat construction plans.

Note: Not required at time of Land use petitions except for Bald Eagle Management Plans. Staff request management plans for other species are only provided at time of Plat or SDP.

10. For sites or portions of sites cleared of native vegetation or in agricultural operation, provide documentation that the parcel(s) were issued a permit to be cleared and are in compliance with the 25 year rezone limitation pursuant to section 10.02.06. For sites permitted to be cleared prior to July 2003, provide documentation that the parcel(s) are in compliance with the 10 year rezone limitation previously identified in the GMP. Criteria defining native vegetation and determining the legality, process and criteria for clearing are found in 3.05.05, 3.05.07 and 10.02.06.

11. Identify on a current aerial the acreage, location and community types of all upland and wetland habitats on the project site, according to the Florida Land Use Cover and Forms Classification System (FLUCFCS), and provide a legend for each of the FLUCFCS Codes identified. Aerials and overlay information must be legible at the scale provided.

- a. Provide descriptions of each FLUCFCS code

Provide calculations for the acreage of **native vegetation** required to be retained on-site.

- a. Demonstrate on map.
 - b. Provide a companion chart.

Include the above referenced calculations and aerials on the SDP or final plat construction plans.

12. Include on a separate site plan, the project boundary and the land use designations and overlays for the RLSA RFMU, ST and ACSC-ST districts. Include this information on the SDP or final plat construction plans.
13. Where off-site preservation of **native vegetation** is proposed in lieu of on-site, demonstrate that the criteria in section 3.05.07 have been met and provide a note on the SDP or final plat construction plans indicating the type of donation (monetary payment or land donation) identified to satisfy the requirement. Include on the SDP or final plat construction plans, a location map(s) and property identification number(s) of the off-site parcel(s) if off-site donation of land is to occur.
14. Provide the results of any Environmental Assessments and/or Audits of the property, along with a narrative of the measures needed to remediate if required by FDEP.
15. Soil and/or ground water sampling shall be required at the time of first development order submittal for sites that occupy farm fields (crop fields, cattle dipping ponds, chemical mixing areas), golf courses, landfill or junkyards or for sites where **hazardous products** exceeding 250 gallons of liquid or 1,000 pounds of solids were stored or processed or where **hazardous wastes** in excess of 220 pounds per month or 110 gallons at any point in time were generated or stored. The amount of sampling and testing shall be determined by a registered professional with experience in the field of Environmental Site Assessment and shall at a minimum test for organochlorine pesticides (U.S. Environmental Protection Agency (EPA) 8081) and Resource Conservation and Recovery Act (RCRA) 8 metals using Florida Department of Environmental Protection (FDEP) soil sampling Standard Operating Procedure (SOP) FS 3000, in areas suspected of being used for mixing and at discharge point of water management system. Sampling should occur randomly if no points of contamination are obvious. Include a background soil analysis from an undeveloped location hydraulically upgradient of the potentially contaminated site. Soil sampling should occur just below the root zone, about 6 to 12 inches below ground surface or as otherwise agreed upon with the registered professional with experience in the field of Environmental Site Assessment. Include in or with the Environmental Site Assessment, the acceptable State and Federal pollutant levels for the types of contamination found on site and indicate in the Assessment, when the contaminants are over these levels. If this analysis has been done as part of an Environmental Audit then the report shall be

submitted. The County shall coordinate with the FDEP where contamination exceeding applicable FDEP standards is identified on site or where an Environmental Audit or Environmental Assessment has been submitted.

16. Shoreline development must provide an analysis demonstrating that the project will remain fully functional for its intended use after a six-inch rise in sea level.
17. Provide justification for deviations from environmental LDC provisions pursuant to GMP CCME Policy 6.1.1 (13), if requested.
18. Where applicable, provide evidence of the issuance of all applicable federal and/or state oil and gas permits for proposed oil and gas activities in Collier County. Include all state permits that comply with the requirements of Chapter 62C-25 through 62C-30, F.A.C., as those rules existed on January 13, 2005.

19. Identify any Wellfield Risk Management Special Treatment Overlay Zones (WRM-ST) within the project area and provide an analysis for how the project design avoids the most intensive land uses within the most sensitive WRM-STs and will comply with the WRM-ST pursuant to 3.06.00. **Indicate that the petition is in compliance with 3.06.00 and does not propose any prohibited uses per LDC 3.06.00.**

Include the location of the Wellfield Risk Management Special Treatment Overlay Zones on the SDP or final plan construction plans. For land use applications such as standard and PUD rezones and CUs, provide a separate site plan or zoning map with the project boundary and Wellfield Risk Management Special Treatment Overlay Zones identified.

20. Demonstrate that the design of the proposed stormwater management system and analysis of water quality and quantity impacts fully incorporate the requirements of the Watershed Management regulations of 3.07.00.
21. For sites located in the Big Cypress Area of Critical State Concern-Special Treatment overlay district (ACSC-ST), show how the project is consistent with the development standards and regulations in 4.02.14.
22. For multi-slip docking facilities with ten slips or more, and for all marina facilities, show how the project is consistent with 5.05.02. Refer to the Manatee Protection Plan for site specific requirements of the Manatee Protection Plan not included in 5.05.02.
23. For development orders within RFMU sensitive lands, show how the project is consistent with each of the applicable Objectives and Policies of the Conservation and Coastal Management Element of the GMP.
24. The County Manager or designee may require additional data or information necessary to evaluate the project's compliance with LDC and GMP requirements. (LDC 10.02.02.A.3 f)

The following to be determined at preapplication meeting:
(Choose those that apply)

- a. Provide overall description of project with respect to environmental and water management issues.
 - b. Explain how project is consistent with each of the applicable objectives and policies in the CCME of the GMP.
 - c. Explain how the project meets or exceeds the native vegetation preservation requirement in the CCME and LDC.
 - d. Indicate wetlands to be impacted and the effects of the impact to their functions and how the project's design compensates for wetland impacts.
 - e. Indicate how the project design minimizes impacts to listed species. Describe the measures that are proposed as mitigation for impacts to listed species.
25. PUD zoning and CU petitions. For PUD rezones and CU petitions, applicants shall collate and package applicable Environmental Data Submittal Requirements into a single Environmental Impact Statement (EIS)

document, prior to public hearings and after all applicable staff reviews are complete. Copies of the EIS shall be provided to the County Manager or designee prior to public hearings.

26. Is EAC Review (by CCPC) required? **TBD**

27. PUD master plan or PPL/SDP site plan notes (note requirements subject to change during review process)

Type B or C Landscape Buffer (provide as Buffer commitment):

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 order to provide the required (insert Type B or C) buffer, a minimum 6-foot-wide landscape buffer easement located outside of the preserve will be conveyed by owner to a homeowner's association or condominium association at time of SDP or plat approval. Owner will plant additional landscape material in the buffer easement to achieve the opacity requirement no later than one year from the issuance of the first residential certificate of occupancy.

1.

Environmental PUDZ-PUDA Checklist (non-RFMU)

Project Name 7-Eleven Rattlesnake Hammack + Collier

1. Is the project in compliance with the overlays, districts and/or zoning on the subject site and/or the surrounding properties? (CON, ST, PUD, RLSA, RFMU, etc.) (LDC 2.03.05-2.03.08; 4.08.00) Not in CV Library
2. Submit a current aerial photograph (available from the Property Appraiser's office) and clearly delineate the subject site boundary lines. If the site is vegetated, provide FLUCFCS overlay and vegetation inventory identifying upland, wetland and exotic vegetation (Admin. Code Ch. 3 G.1. Application Contents #24). FLUCFCS Overlay -P627
3. Clearly identify the location of all preserves and label each as "Preserve" on all plans. (LDC 3.05.07.H.1). Preserve Label- P546
4. Provide calculations on site plan showing the appropriate acreage of native vegetation to be retained, the max. amount and ratios permitted to be created on-site or mitigated off-site. Exclude vegetation located within utility and drainage easements from the preserve calculations (LDC 3.05.07.B-D; 3.05.07.F; 3.05.07.H.1.d-e). Preserve Calculation - P547
5. Created and retained preserve areas shall meet the minimum width requirements per LDC 3.05.07.H.1.b. Preserve Width - P603
6. Retained preservation areas shall be selected based on the criteria defined in LDC 3.05.07.A.3, include all 3 strata be in the largest contiguous area possible and shall be interconnected within the site and to adjoining off-site preservation areas or wildlife corridors. (LDC 3.05.07.A.1-4) Preserve Selection- P550
7. Principle structures shall be located a minimum of 25' from the boundary of the preserve boundary. No accessory structures and other site alterations, fill placement, grading, plant alteration or removal, or similar activity shall be permitted within 10' of the boundary unless it can be shown that it will not affect the integrity of the preserve (i.e. stem wall or berm around wetland preserve). Provide cross-sections for each preserve boundary identifying all site alterations within 25'. (LDC 3.05.07.H.3; 6.01.02.C.) Preserve Setback – New
8. Wildlife survey required for sites where an EIS is not required, when so warranted. (LDC 10.02.02.A.2.f) Listed Species - P522
9. Provide Environmental Data identifying author credentials, consistency determination with the GMPs, off-site preserves, seasonal and historic high water levels, and analysis of water quality. For land previously used for farm fields or golf course, provide soil sampling/groundwater monitoring reports identifying any site contamination. (LDC 3.08.00) Environmental Data Required – P 522
10. PUD Document and Master Plan shall state the minimum acreage required to be preserved. (LDC 10.02.13.A.2) Master Plan Contents-P626
11. If the PUD includes a **Preserve Tract** section

A. Principal Use: Preserve

B. Accessory Uses: Uses subject to LDC section *Allowable uses within County required preserves*

Alternate format. If the agent insists on listing specific uses under Accessory Uses, the following language shall be used for B:

B. Passive uses are allowed within preserves to provide for access to the preserve, as long as any clearing required to facilitate these uses does not impact the minimum required native vegetation or cause loss of function to the preserve. Passive uses are subject to LDC section *Allowable uses within County required preserves*:

1. Pathways
2. Stormwater only when in accordance with the LDC.

PUD Commitments and Site Plan notes

Where preserves occur adjacent to development off site and will be used in lieu of landscape buffers, include the following condition in the environmental commitments section of the PUD document or master plan:

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.

12. PUD Document shall identify any listed species found on site and/or describe any unique vegetative features that will be preserved on the site. (LDC 10.02.13.A.2.) Unique Features- P628
 Example: A management plan for the entire project shall be submitted in accordance with the requirements and procedures of the LDC for listed species including but not limited to Black Bear, Gopher Tortoise and listed birds. The management plan shall be submitted prior to development of the first phase of the project.
13. Review cross-sections if provided; they are not required with the PUD. However, sometimes they are provided. Is there any fill proposed in the preserve?

Additional Comments:



Applicant/Agent may also send site plans or conceptual plans for review in advance if desired.

PL20190002183 – 7-Eleven Rattlesnake Hammock & Collier (ASW) - PRE-APP INFO

Assigned Ops Staff: Ellen Murray
Camden Smith, (Ops Staff)

STAFF FORM FOR SUPPLEMENTAL PRE-APPLICATION MEETING INFORMATION

- **Name and Number of who submitted pre-app request**
Sharon Hrabak, Quattrone & Associates, Inc- 239-936-5222 permits@qainc.net
- **Agent to list for PL#**
Quattrone & Associates, Inc, Michelle Salberg and Al Quattrone
- **Owner of property (all owners for all parcels)**
Wilton Land Company, LLC
- **Confirm Purpose of Pre-App: (Rezone, etc.)**
Automotive Station Waiver
- **Please list the density request of the project if applicable and number of homes/units/offices/docks (any that apply):**
Proposing 7-Eleven service station with car wash. ±3,454 sf building, with 8 MPD fuel pumps
- **Details about Project:**
ASW – Please provide details.

REQUIRED Supplemental Information provided by:

Name:
Title:
Email:
Phone:

Cancellation/Reschedule Requests: Contact Danny Condomina-Client Services Supervisor
danny.condomina@colliercountyfl Phone: 239-252-6866

Created April 5, 2017

Location: K:\CDES Planning Services\Current\Zoning Staff Information



COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DIVISION
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:
Waiver from Separation Requirements for Automobile Service Stations
Chapter 6 G. 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 from website for current form)	☐	☒	☐
Completed Addressing Checklist	1	☒	☐
Pre-Application meeting notes	☐	☒	☐
Conceptual Site Plan 24 in. x 36 in., along with one reduced copy 8 ½ in. x 11in.	☐	☒	☐
Warranty Deed	2	☒	☐
Affidavit of Authorization , signed and notarized	2	☒	☐
Environmental Data Requirements, if required	3	☒	☐
Aerial photographs	5	☒	☐
Electronic copy of all documents and plans *Please advise: The Office of the Hearing Examiner requires all materials to be submitted electronically in PDF format.	1	☒	☐
Letter of no objection from the United States Postal Service. Contact Robert M. Skebe at (239) 435-2122.	1	☒	☐
Written Market Study Analysis	☐	☒	☐
*If located in the Bayshore/Gateway triangle Redevelopment Area, 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.



COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DIVISION
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	☒	Environmental Review: See Pre-Application Meeting Sign-In Sheet
☒	Addressing: Annis Moxam	☐	Graphics: Mariam Ocheltree
☐	City of Naples: Robin Singer, Planning Director	☐	Historical Review
☐	Comprehensive Planning: See Pre-Application Meeting Sign-In Sheet	☐	Immokalee Water/Sewer District:
☐	Conservancy of SWFL: Nichole Ryan	☐	Parks and Recreation: Vicky Ahmad
☒	County Attorney's Office: Heidi Ashton-Cicko	☒	Transportation Pathways: Stacey Revay
☐	Emergency Management: Dan Summers; and/or EMS: Artie Bay	☐	School District (Residential Components): Amy Heartlock
☐	Engineering: Alison Bradford	☐	Transportation Planning: John Podczerwinsky
☐	Other:	☐	Utilities Engineering: Kris VanLengen

FEE REQUIREMENTS

All checks payable to: Board of County Commissioners

- Paid* ☒ **Pre-Application Meeting:** \$500.00 (to be credited towards the application fee if the application is filed within 9 months of pre-application meeting)
- ☒ **Automobile Service Station Separation Requirement Waiver:** \$1,000.00
- ☒ **Estimated Legal Advertising fee for the Office of the Hearing Examiner or the BZA:** \$500.00

Agent/Owner Signature

Date

Applicant/Owner Name (please print)

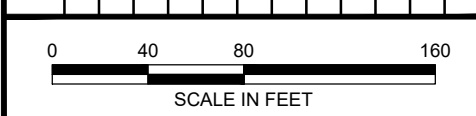
ASW SITE PLAN



**CIVIL ENGINEERING &
LAND DEVELOPMENT CONSULTANTS**

28100 BONITA GRANDE DRIVE - SUITE 305 BONITA SPRINGS, FL 34135
P: 239-405-7777 F: 239-405-7899 EMAIL: info@waddropengineering.com

AUTO SERVICE WAIVER EXHIBIT

[illegible]

FLORIDA CERTIFICATE OF AUTHORIZATION #8636

PROJECT AREA: 1.83 ± ACRES
BUILDING MAXIMUM HEIGHT: 35'
CURRENT ZONING: MPUD

	INGRESS/ EGRESS
	PRESERVE
	FPL EASEMENT / DRY DETENTION
	PAVEMENT

WARRANTY DEED

This Warranty Deed Prepared
Without Review or Opinion of Title by:
Harold J. Webre, Esquire
COLEMAN, YOVANOVICH & KOESTER, P.A.
4001 Tamiami Trail N., Suite 300
Naples, FL 34103
(239) 435-3535

Consideration: \$10.00 (NOTE: This transfer is between related entities for nominal consideration only)

WARRANTY DEED

THIS WARRANTY DEED is made this 28th day of December, 2020, between **Wilton Land Company, LLC, a Florida limited liability company**, whose address is 206 Dudley Road, Wilton, CT 06897 ("Grantor"), and **Hammock Park Apartments, LLC, a Florida limited liability company**, whose address is 7742 Allico Rd., Fort Myers, FL 33912 ("Grantee").

Grantor, in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said Grantor in hand paid by Grantee, the receipt of which is hereby acknowledged, has granted, bargained and sold to the said Grantee and Grantee's successors and assigns forever, the following described property, situated, lying and being in Collier County, Florida, to wit:

See Exhibit "A" attached hereto and incorporated herein by reference.

PARCEL ID NUMBER: 00416720000

SUBJECT TO: (a) ad valorem and non ad valorem real property taxes for 2020 and subsequent years; (b) comprehensive land use plans, zoning, restrictions, prohibitions and other requirements imposed by governmental authority; (c) outstanding oil, gas and mineral interests of record, if any; and (d) covenants, easements, restrictions and other matters of record.

And said Grantor does hereby fully warrant the title to said property, and will defend the same against the lawful claims of all persons whomsoever.

Attachment: Attachment C - Application and Backup Materials (14692 : 7-Eleven Rattlesnake & Collier (ASW))

IN WITNESS WHEREOF, Grantor has executed and delivered this Warranty Deed the day and year first above written.

Signed, sealed and delivered
in our presence:

Wilton Land Company, LLC, a
Florida limited liability company

[Signature]
Witness 1 - Signature
David E. Torres
Witness 1 - Printed Name

By: [Signature]
George P. Bauer, as Trustee of the
George P. Bauer Revocable Trust
dated July 20, 1990, its Manager

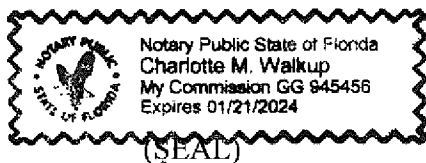
(Company Seal)

[Signature]
Witness 2 - Signature

Charlotte M. Walkup
Witness 2 - Printed Name

STATE OF Florida
COUNTY OF Lee

The foregoing Warranty Deed was acknowledged before me by means of ☒ physical presence or ☐ online notarization, on this 28 day of December, 2020, by George P. Bauer, as Trustee of the George P. Bauer Revocable Trust dated July 20, 1990, as Manager of Wilton Land Company, LLC, a Florida limited liability company. He ☒ is personally known to me or ☐ produced _____ as identification.



[Signature]
Notary Public - Signature
Print Name: Charlotte M. Walkup

Attachment: Attachment C - Application and Backup Materials (14692 : 7-Eleven Rattlesnake & Collier (ASW))

AFFIDAVITS OF AUTHORIZATION

AFFIDAVIT OF AUTHORIZATION

FOR PETITION NUMBERS(S) PL20190002183

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.

Signature

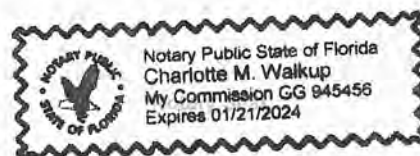
Date

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowledged before me by means of ☒ 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:

- ☒ Are personally known to me
- ☐ Has produced a current drivers license _____
- ☐ Has produced _____ as identification.

Notary Signature: Charlotte M. Walkup

AFFIDAVIT OF AUTHORIZATION

FOR PETITION NUMBERS(S) PL20190002183

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 COLEMAN, YOVANOVICH & KOESTER C/O RICHARD YOVANOVICH 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

David E. Torres
Manager

Date

12-28-20

STATE OF FLORIDA
COUNTY OF COLLIER

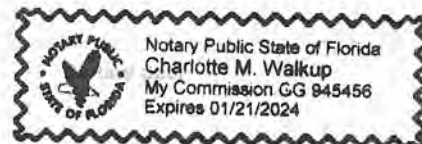
The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 28th day of December, 2020, by (printed name of owner or qualifier) David E. Torres

Such person(s) Notary Public must check applicable box:

- ☒ Are personally known to me
- ☐ Has produced a current drivers license _____
- ☐ Has produced _____ as identification.

Notary Signature:

Charlotte M. Walkup



DISCLOSURE OF INTEREST



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



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 R. Bauer Revocable Trust	80%
David E. Torres Revocable Trust	20%

- 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:



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

Date

DAVID E. TORRES

Agent/Owner Name (please print)

Manager

12-28-20.

ENVIRONMENTAL DATA

**HAMMOCK PARK
COLLIER COUNTY
ENVIRONMENTAL DATA REPORT**

Revised June 2019

Prepared For:

Tract L Development, LLC
7742 Alico Road
Fort Myers, Florida 33912
(239) 208-4079

Prepared By:

Passarella & Associates, Inc.
13620 Metropolis Avenue, Suite 200
Fort Myers, Florida 33912
(239) 274-0067

Attachment: Attachment C - Application and Backup Materials (14692 : 7-Eleven Rattlesnake & Collier (ASW))

TABLE OF CONTENTS

	<u>Page</u>
Introduction.....	1
Environmental Data Authors	1
Vegetation Descriptions.....	2
Listed Species Survey	4
Native Vegetation Preservation	4
References.....	5

Attachment: Attachment C - Application and Backup Materials (14692 : 7-Eleven Rattlesnake & Collier (ASW))

LIST OF TABLES

	<u>Page</u>
Table 1. Native and Non-Native Habitat Types and Vegetation Acreages	5

Attachment: Attachment C - Application and Backup Materials (14692 : 7-Eleven Rattlesnake & Collier (ASW))

LIST OF EXHIBITS

	<u>Page</u>
Exhibit 1. Project Location Map.....	E1-1
Exhibit 2. Aerial with FLUCFCS and Wetlands Map.....	E2-1
Exhibit 3. Native Vegetation Map.....	E3-1
Exhibit 4. Listed Species Survey.....	E4-1
Exhibit 5. Aerial with Bald Eagle Nest and Protection Zones	E5-1
Exhibit 6. Aerial with On-Site and Adjacent Off-Site Preservation Areas	E6-1

INTRODUCTION

The following environmental data report is provided in support of the zoning application for Hammock Park (Project). The following information was prepared in accordance with the Collier County environmental data submittal requirements outlined in Chapter 3.08.00 of the Collier County Land Development Code (LDC).

The Project totals 19.13± acres and is located in Section 14, Township 50 South, Range 26 East, Collier County (Exhibit 1). More specifically, the Project is located northeast of the intersection of Collier Boulevard (County Road 951) and Rattlesnake Hammock Road. The Project is bordered by the Good Turn Center project to the north, the McMullen Parcel to the east, Rattlesnake Hammock Road to the south, and Collier Boulevard to the west.

The Project includes a modification to an existing Planned Unit Development (PUD) known as Hammock Park Commerce Center (Ordinance No. 07-30). The modification includes the addition of a potential mixed-use or residential component.

South Florida Water Management District (SFWMD) Permit No. 11-02130-P and U.S. Army Corps of Engineers (COE) Permit No. SAJ-1999-04926 were issued for the Project on October 10, 2002 and February 12, 2009, respectively. Additional modifications to the SFWMD permit were issued on February 8, 2008 and July 1, 2014 and to the COE permit on July 21, 2014.

The majority of the Project site is comprised of previously cleared, disturbed land. The Project site contains a 1.63± acre Collier County native vegetation preserve along the northern portion boundary which was designated as part of Ordinance No. 7-30.

This report includes details regarding the authors' qualifications, vegetation descriptions for the various on-site habitats, results of the listed species survey conducted by Passarella & Associates, Inc. (PAI) in October 2018, and the minimum native vegetation preservation requirement.

ENVIRONMENTAL DATA AUTHORS

This report was prepared by Heather Samborski and Bethany Brosious. They both satisfy the environmental credential and experience requirements, per Section 3.08.00(A)2 of the Collier County LDC.

Ms. Samborski is an Ecologist with PAI, with four years of consulting experience in the environmental industry. She holds a Bachelor of Science degree in Environmental Studies from Eastern Connecticut State University and a Master of Science degree in Environmental Sciences from Florida Gulf Coast University.

Ms. Brosious is an Ecologist with PAI, with 12 years of consulting experience in the environmental industry. She holds a Bachelor of Science degree in Animal Sciences from the University of Florida and a Master of Science degree in Environmental Sciences from Florida Gulf Coast University.

VEGETATION DESCRIPTIONS

The existing vegetative cover and land uses on the Project site include a combination of undeveloped, disturbed land and forested uplands and wetlands with varying degrees of exotic infestation. The vegetation associations for the property were delineated using December 2017 rectified color aerials (Scale: 1" = 100'). Groundtruthing was conducted in October 2018. These delineations were classified based on the nomenclature of the Florida Land Use, Cover and Forms Classification System (FLUCFCS) Levels III and IV (Florida Department of Transportation 1999). Level IV FLUCFCS was utilized to denote disturbance and "E" codes were used to identify levels of exotic species invasion (i.e., melaleuca (*Melaleuca quinquenervia*), earleaf acacia (*Acacia auriculiformis*), downy rose-myrtle (*Rhodomyrtus tomentosa*), and Brazilian pepper (*Schinus terebinthifolius*)). AutoCAD Map 3D 2017 software was used to determine the acreage of each mapped polygon, produce summaries, and generate the final FLUCFCS map (Exhibit 2).

A total of 12 vegetative associations and land uses (i.e., FLUCFCS codes) were identified on the property. The dominant habitat type on the property is Disturbed Land, Hydric (FLUCFCS Code 7401), accounting for 45.2 percent of the property (8.64± acres). Exotic vegetation documented on-site includes, but is not limited to, Brazilian pepper, earleaf acacia, torpedograss (*Panicum repens*), and melaleuca. The degree of exotic infestation ranges from 0 to nearly 100 percent cover.

The Project site contains 13.59± acres of SFWMD and potential COE jurisdictional wetlands (Exhibits 2 and 3).

The jurisdictional wetlands identified by FLUCFCS code include approximately 2.59± acres of Hydric Pine, Disturbed (0-24% Exotics) (FLUCFCS Code 6259 E1); 1.89± acres of Hydric Pine, Disturbed (76-100% Exotics) (FLUCFCS Code 6259 E4); 0.47± acre of Freshwater Marsh, Disturbed (50-75% Exotics) (FLUCFCS Code 6419 E3); and 8.64± acres of Disturbed Land, Hydric (FLUCFCS Code 7401). The on-site wetland quality has been diminished by previously authorized site disturbance, a degraded regional hydrologic connection, and the infestation of exotic vegetation including Brazilian pepper, torpedograss, melaleuca, and earleaf acacia.

The acreage and descriptions for each FLUCFCS classification are outlined below.

Pine, Disturbed (0-24% Exotics) (FLUCFCS Code 4159 E1)

The canopy contains slash pine (*Pinus elliottii*) and scattered cabbage palm (*Sabal palmetto*). The sub-canopy consists of slash pine, cabbage palm, wax myrtle (*Morella cerifera*), and earleaf acacia. The ground cover includes gulfdune paspalum (*Paspalum monostachyum*), little blue maidencane (*Amphicarpum muehlenbergianum*), and torpedograss.

Pine, Disturbed (76-100% Exotics) (FLUCFCS Code 4159 E4)

The canopy is similar to FLUCFCS Code 4159 E1. The sub-canopy consists of 76 to 100 percent cover by earleaf acacia, melaleuca, and Brazilian pepper. The ground cover includes torpedograss, spermacoce (*Spermacoce verticillata*), bushy bluestem (*Andropogon glomeratus*), and beaksedge (*Rhynchospora microcarpa*).

Cypress, Pine, Cabbage Palm, Disturbed and Drained (76-100% Exotics) (FLUCFCS Code 6245 E4)

The canopy consists of slash pine, cypress (*Taxodium distichum*), and Brazilian pepper. The sub-canopy was mostly open with scattered cabbage palm. The ground cover includes grapevine (*Vitis* sp.), caesarweed (*Urena lobata*), dog fennel (*Eupatorium capillifolium*), torpedograss, and spermacoce.

Hydric Pine, Disturbed (0-24% Exotics) (FLUCFCS Code 6259 E1)

The canopy consists primarily of slash pine. The sub-canopy contains slash pine, wax myrtle, myrsine (*Myrsine cubana*), dahoon holly (*Ilex cassine*), and cypress. The ground cover includes sand cordgrass (*Spartina bakeri*), sawgrass (*Cladium jamaicense*), little blue maidencane, gulfdune paspalum, and spermacoce.

Hydric Pine, Disturbed (76-100% Exotics) (FLUCFCS Code 6259 E4)

The canopy consists of slash pine with some cabbage palm. The sub-canopy contains Brazilian pepper and earleaf acacia. The ground cover includes torpedograss, spermacoce, bushy bluestem, and beaksedge.

Freshwater Marsh, Disturbed (50-75% Exotics) (FLUCFCS Code 6419 E3)

The canopy is open with scattered cypress. The sub-canopy is open with scattered cypress, Brazilian pepper, and willow (*Salix caroliniana*). The ground cover includes pickerelweed (*Pontederia cordata*), arrowhead (*Sagittaria lancifolia*), smartweed (*Polygonum* spp.), maidencane (*Panicum hemitomon*), torpedograss, and fireflag (*Thalia geniculata*).

Disturbed Land (FLUCFCS Code 740)

The canopy and sub-canopy are open. The ground cover consists of torpedograss, spermacoce, bushy bluestem, and coastal foxtail (*Setaria corrugata*).

Disturbed Land, Hydric (FLUCFCS Code 7401)

The canopy and sub-canopy are open with scattered melaleuca. The ground cover includes torpedograss, spermacoce, dog fennel, beaksedge, and inundated beaksedge (*Rhynchospora inundata*).

Spoil Areas (FLUCFCS Code 743)

The canopy is open and the sub-canopy includes Brazilian pepper and earleaf acacia. The ground cover includes fennel (*Eupatorium leptophyllum*), torpedograss, spermacoce, and caesarweed.

Road (FLUCFCS Code 814)

This area consists of a paved road which occupies 0.01± acre or 0.1 percent of the property.

Utilities (FLUCFCS Code 830)

This is comprised of a pump station and accounts for 0.10± acre or 0.5 percent of the property.

Electrical Transmission Lines (FLUCFCS Code 832)

This area is occupied by Florida Power & Light powerlines and accounts for 0.30± acre or 1.6 percent of the property.

LISTED SPECIES SURVEY

A listed plant and wildlife species survey was conducted by PAI on the Project site on October 2, 2018. No listed wildlife species were observed during the listed species survey. The listed species survey methodology and results are provided as Exhibit 4.

The Project has previously been reviewed by both the Florida Fish and Wildlife Conservation Commission (FWCC) and the U.S. Fish and Wildlife Service (USFWS) as part of the state and federal permitting process. A biological opinion for the Project was issued by the USFWS on December 17, 2008 and addressed potential Project impacts to the Florida panther (*Puma concolor coryi*). In addition, as part of a COE permit extension request, a USFWS concurrence letter was issued on March 20, 2014 and found that the Project “may affect but is not likely to adversely affect” the Florida bonneted bat (*Eumops floridanus*).

During a December 2018 site visit, a bald eagle (*Haliaeetus leucocephalus*) nest was documented approximately 20 feet north of the Project site. The nest is located in a live slash pine approximately 800± feet east of Collier Boulevard. An aerial depicting the location of the bald eagle nest and USFWS protection zones is included as Exhibit 5. Prior to the initiation of construction activities, the developer will coordinate with Collier County, the USFWS, and the FWCC with respect to the newly identified bald eagle nest regarding applicable guidelines and permitting requirements as described in the FWCC Bald Eagle Management Plan Handbook (FWCC 2010) and the USFWS National Bald Eagle Management Guidelines (USFWS 2007).

NATIVE VEGETATION PRESERVATION

Per PUD Ordinance 07-30, 15 percent of the on-site native vegetation was required to be preserved to meet the Collier County minimum native vegetation preservation requirement in accordance with Section 3.05.07.B.1 of the Collier County LDC. This resulted in a preservation requirement of 1.63± acres of native vegetation. A 1.63± acre Collier County native vegetation preserve, which satisfies the minimum native vegetation preservation requirement, was established on the northern boundary of the Project. The preserve is protected via a conservation easement granted to Collier County and the SFWMD. The preserve has been enhanced through the removal of exotic vegetation and supplemental plantings.

The proposed zoning amendment application includes the addition of a residential land use to the PUD. Per LDC Section 3.05.07.B.1, for a residential or mixed-use development that is less than 20 acres in size, the minimum preserve requirement is 15 percent of the native vegetation.

The Project contains 7.14± acres of native vegetation. A utility easement which bisects the eastern portion of the property was not classified as native vegetation for this zoning amendment application. In addition, 2.22± acres area of Disturbed Land; 8.64± acres of Disturbed Land, Hydric; 0.37± acre of Spoil Areas; 0.01± acre of Road; 0.10± acre of Utilities; and 0.30± acre of Electrical Transmission Lines were classified as non-native vegetation. Also excluded was 0.35± acre of Freshwater Marsh (50-75% Exotics) located within the existing electrical powerline easement (Exhibit 3).

Table 1 provides a summary of the existing native vegetation communities on-site and the native vegetation preservation calculation.

Table 1. Native and Non-Native Habitat Types and Vegetation Acreages

FLUCFCS Code	Description	Native Acreage	Non-Native Acreage
4159 E1	Pine, Disturbed (0-24% Exotics)	0.16	
4159 E4	Pine, Disturbed (76-100% Exotics)	0.63	
6245 E4	Cypress, Pine, Cabbage Palm, Disturbed and Drained (76-100% Exotics)	1.75	
6259 E1	Hydric Pine, Disturbed (0-24% Exotics)	2.59	
6259 E4	Hydric Pine, Disturbed (76-100% Exotics)	1.89	
6419 E3	Freshwater Marsh, Disturbed (50-75% Exotics)	0.12	0.35
740	Disturbed Land		2.22
7401	Disturbed Land, Hydric		8.64
743	Spoil Areas		0.37
814	Road		0.01
830	Utilities		0.10
832	Electrical Transmission Lines		0.30
Total		7.14	11.99
Minimum Retained Native Vegetation Requirement Per Collier County Ordinance No. 07-30		1.63*	

*Per Collier County Ordinance No. 07-30, 15 percent of the on-site native vegetation was preserved.

Please see the Master Concept Plan and Exhibit 6 for the preserve area location. The on-site preserve location and habitats were selected according to the priority criteria set forth in Sections 3.05.07(A)4 and 3.05.05(A)5 of the Collier County LDC. The on-site preserve maintained the highest quality native vegetation on-site, connects off-site preservation areas to the north, and is in close proximity to off-site adjacent preservation areas to the east (Exhibit 6). In addition, the preserve location will provide a buffer between the off-site bald eagle nest, located just north of the property boundary, and proposed future development activities on the Project site.

Enhancement activities conducted within the preserve areas included the removal of exotic vegetation and supplemental planting. The preserve area is currently protected via a conservation easement granted to both Collier County and the SFWMD and will remain protected in perpetuity.

REFERENCES

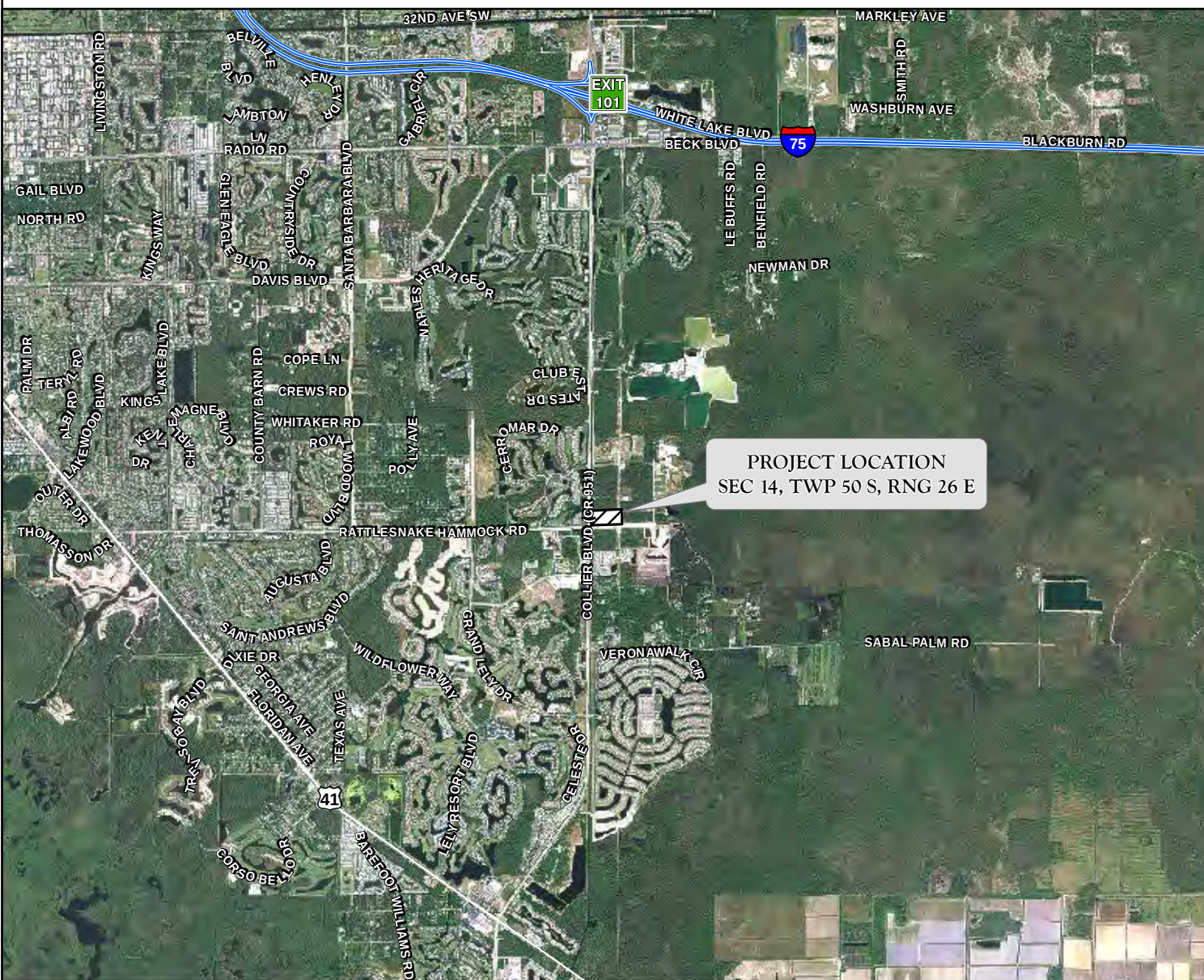
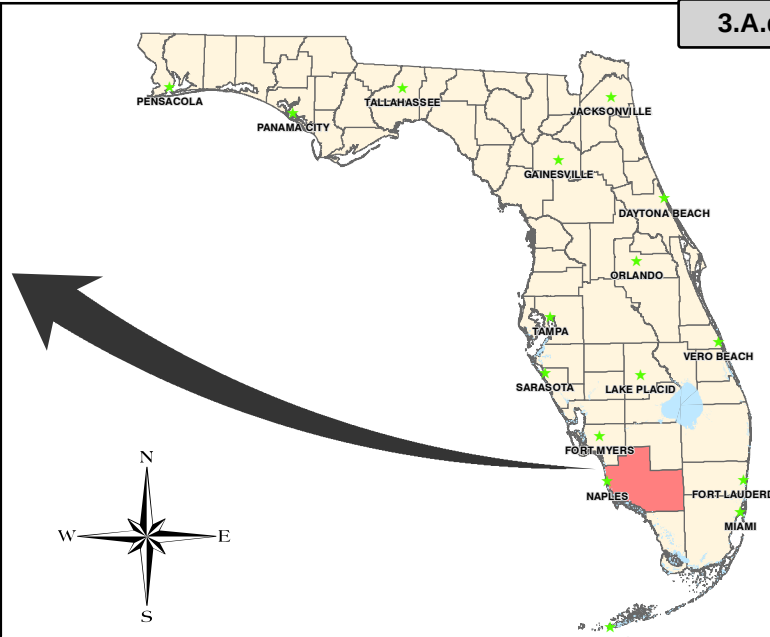
Florida Department of Transportation. 1999. Florida Land Use, Cover and Forms Classification System. Procedure No. 550-010-001-a. Second Edition.

Florida Fish and Wildlife Conservation Commission. 2010. Bald Eagle Management Plan Handbook. Tallahassee, Florida.

U.S. Fish and Wildlife Service. 2007. National Bald Eagle Management Guidelines

EXHIBIT 1

PROJECT LOCATION MAP



DRAWN BY	DATE
T.F.	10/8/18
REVIEWED BY	DATE
B.B.	10/8/18
REVISED	DATE

J:\2005\05TSCI438\HAMMOCK PARK COMMERCE CENTER\GIS\2018\ENVIRONMENTAL_DATA_REPORT\FIGURES\EXHIBIT_1_PROJECT_LOCATION_MAP.MXD - 3/26/2019 @ 10:22:15 AM

EXHIBIT 2

AERIAL WITH FLUCFCS AND WETLANDS MAP

Attachment: Attachment C - Application and Backup Materials (14692 : 7-Eleven Rattlesnake & Collier (ASW))



~RATTLESNAKE HAMMOCK RD~

SURVEYED WETLAND LINE

NOTES:

PROPERTY BOUNDARY PER WALDROP ENGINEERING INC.
DRAWING No.18-23SR.DWG DATED SEPTEMBER 26, 2018.

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999).

SURVEYED WETLAND LINES PER VANESSE &
DAYLOR DRAWING NO. PASS031804I.DWG DATED
MARCH 22, 2004.

WETLAND LINES REVIEWED AND APPROVED BY
SFWMD AS PART OF ERP NO. II-02130-P.

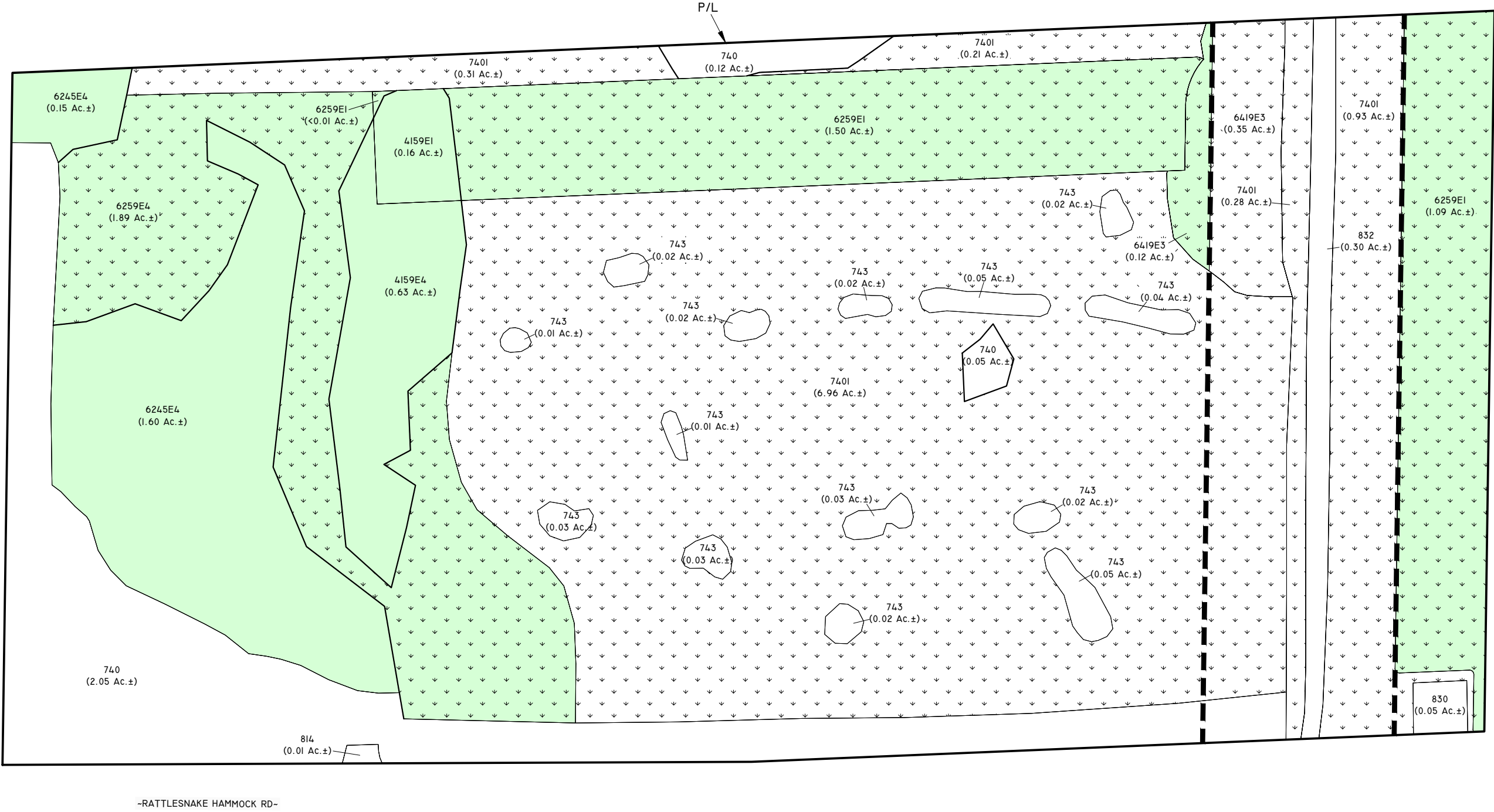
\\2005\05TSC1\3\HAMMOCK PARK COMMERCE CENTER\ENVIRONMENTAL DATA REPORT\EXHIBIT 2 AERIAL WITH EILCECS AND WETLANDS 10/6/18 DWG.TAB - 17X11-C TR MAR 26, 2019 - 10:46 AM PLOTTED BY: TONE

EXHIBIT 3

NATIVE VEGETATION MAP



SCALE: 1" = 100'



LEGEND:

- NATIVE VEGETATION (7.14 Ac.±)
- SURVEYED WETLAND LINE
- ELECTRICAL POWER LINE EASEMENT

FLUCFCS		% OF	
CODES	DESCRIPTIONS	ACREAGE	TOTAL
4159 E1	PINE, DISTURBED (0-24% EXOTICS)	0.16 Ac.±	2.2%
4159 E4	PINE, DISTURBED (76-100% EXOTICS)	0.63 Ac.±	8.8%
6245 E4	CYPRESS, PINE, CABBAGE PALM, DISTURBED AND DRAINED (76-100% EXOTICS)	1.75 Ac.±	24.5%
6259 E1	HYDRIC PINE, DISTURBED (0-24% EXOTICS)	2.59 Ac.±	36.3%
6259 E4	HYDRIC PINE, DISTURBED (76-100% EXOTICS)	1.89 Ac.±	26.5%
6419 E3	FRESHWATER MARSH, DISTURBED (50-75% EXOTICS)	0.12 Ac.±	1.7%
TOTAL		7.14 Ac.±	100.0%

NOTES:

AERIAL PHOTOGRAPHS WERE ACQUIRED THROUGH THE COLLIER COUNTY PROPERTY APPRAISER'S OFFICE WITH A FLIGHT DATE OF DECEMBER 2017.

PROPERTY BOUNDARY PER WALDROP ENGINEERING INC. DRAWING No.18-23SR.DWG DATED SEPTEMBER 26, 2018.

FLUCFCS LINES ESTIMATED FROM 1"=200' AERIAL PHOTOGRAPHS AND LOCATIONS APPROXIMATED.

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999).

SURVEYED WETLAND LINES PER VANESSE & DAYLOR DRAWING NO. PASS0318041.DWG DATED MARCH 22, 2004.

WETLAND LINES REVIEWED AND APPROVED BY SFWMD AS PART OF ERP NO. 11-02130-P.

J:\12005\05TSC\1438\HAMMOCK PARK COMMERCE CENTER\2018\ENVIRONMENTAL DATA REPORT\EXHIBIT 3 NATIVE VEGETATION MAP 101018.DWG TAB: 17X11 MAR 26, 2019 - 10:15AM PLOTTED BY: TONF

REVISIONS	DATE	DRAWN BY	DATE	3620 Metropolis Avenue Suite 200 Ft. Myers, FL 33912 Phone (239) 274-0067 Fax (239) 274-0069		HAMMOCK PARK NATIVE VEGETATION MAP	DRAWING No. 05TSC1438
		D.B.	10/16/18				
		DESIGNED BY	DATE				
		B.B.	10/16/18				
		REVIEWED BY	DATE				SHEET No.
							Packet Pg. 110

EXHIBIT 4

LISTED SPECIES SURVEY

HAMMOCK PARK LISTED SPECIES SURVEY

Revised March 2019

1.0 INTRODUCTION

This report documents the results of the listed species survey conducted by Passarella & Associates, Inc. (PAI) on October 2, 2018 for the 19.13± acre Hammock Park (Project). The Project includes a proposed mixed-use commercial/residential development with associated infrastructure and stormwater management system. Listed species surveys for the Project were previously conducted in September 2006 and July 2012.

The Project is located in Section 14, Township 50 South, Range 26 East, Collier County (Figure 1). More specifically, the Project is located at the northeast corner of the intersection of Collier Boulevard (County Road 951) and Rattlesnake Hammock Road. The Project is bound by Good Turn Center to the north, the McMullen Parcel to the east, Rattlesnake Hammock Road to the south, and the 951 Canal and Collier Boulevard to the west. The Project site contains an on-site preservation area that is located on the northern boundary. The remainder of the Project site is comprised of undeveloped, partly forested land that has been invaded to various degrees by exotic vegetation.

2.0 LITERATURE REVIEW AND FIELD SURVEY METHODOLOGY

A literature review and field survey was conducted to determine whether the Project site was being utilized by state and/or federally-listed species as identified by the Florida Fish and Wildlife Conservation Commission (FWCC) and the U.S. Fish and Wildlife Service (USFWS) as endangered, threatened, or species of special concern. In addition, the property was surveyed for plant species listed by the Florida Department of Agriculture and Consumer Services and the USFWS as endangered, threatened, or commercially exploited or species included on the Collier County Rare and Less Rare plant lists (Land Development Code (LDC) Section 3.04.03).

2.1 Literature Review

The literature review involved an examination of available information on listed species in the Project's geographical region. The literature sources reviewed included the FWCC Florida's Endangered and Threatened Species (2017); Florida Atlas of Breeding Sites for Herons and Their Allies (Runde *et al.* 1991); USFWS Habitat Management Guidelines for the Bald Eagle in the Southeast Region (1987); the Florida Panther Habitat Preservation Plan (Logan *et al.* 1993); the Landscape Conservation Strategy Map (Kautz *et al.* 2006); and USFWS and FWCC databases for telemetry locations of the Florida panther (*Puma concolor coryi*), bald eagle (*Haliaeetus leucocephalus*), red-cockaded woodpecker (*Picoides borealis*) (RCW), Florida black bear (*Ursus americanus*

floridanus), Florida scrub jay (*Aphelocoma coerulescens*), and wading bird rookeries (such as the wood stork (*Mycteria americana*)) in Collier County.

The FWCC and USFWS database information is updated on a periodic basis and is current through different dates, depending on the species. The FWCC information that was reviewed is current through the noted dates for the following four species: Florida panther telemetry – September 2018; bald eagle nest locations – April 2016; black bear telemetry – December 2007; and RCW locations – August 2017.

2.2 Field Survey

The field survey was conducted during daylight hours by qualified ecologists walking parallel belt transects across the Project site. Transects were spaced to ensure that sufficient visual coverage of ground and flora was obtained. Approximate transect locations and spacing are shown on Figure 2. At regular intervals the ecologists stopped, remained quiet, and listened for wildlife vocalizations. The survey was conducted with the aid of 8x or 10x power binoculars.

The listed wildlife species surveyed for included, but were not limited to, gopher tortoise (*Gopherus polyphemus*), Eastern indigo snake (*Drymarchon corais couperi*), RCW, wood stork, Big Cypress fox squirrel (*Sciurus niger avicennia*), and Florida panther. The listed plant species surveyed for included species typical to forested upland and wetland habitats in this geographical region, as well as listed epiphytes and terrestrial orchids common in Southwest Florida.

3.0 RESULTS

3.1 Literature Review

The literature search found no documented occurrences for listed wildlife species on the Project site (Figure 3).

The closest documented bald eagle nest is an unnumbered nest located approximately 20 feet north of the northern property boundary. The nest was discovered during a December 2018 site visit and is located in a live slash pine (*Pinus elliottii*) tree. The location of the nest and the USFWS eagle protection zones are depicted in Figure 4. Bald eagles are not a state or federally-listed species; however, they are protected under the Bald and Golden Eagle Protection Act.

No RCW colonies or cavity trees are documented on the Project site, per the FWCC's database (Figure 3). The closest documented RCW location is located approximately 0.25 mile west of the Project site. This location and the others documented west of Collier Boulevard are considered relic or historic locations, as there are no currently known active cavity trees west of Collier Boulevard, based on PAI's survey experience in

this region over the last 20 years. The RCW is a state and federally-listed endangered species.

The Project site is located within the 30± kilometer (18.6± miles) Core Foraging Area (CFA) of one documented wood stork rookery (No. 619018) (Figure 5). The wetlands within the proposed development limits are predominantly infested with exotic vegetation including torpedograss (*Panicum repens*), spermacoce (*Spermacoce verticillata*), and earleaf acacia (*Acacia auriculiformis*). As such, the property's foraging potential is rather poor. The wood stork is a state and federally-listed threatened species.

No Florida panther telemetry is located on the Project site; however, panther telemetry points were documented in the immediate vicinity of the Project (Figure 3). The telemetry points were from Florida panther Nos. 148 and 219 and were recorded in August 2010 and December 2013, respectively. Both panthers have since died. The property is within the Florida panther Primary Zone (Kautz *et al.* 2006) (Figure 6). The Florida panther is a state- and federally-listed endangered species.

The Project site is located within the USFWS Florida bonneted bat (*Eumops floridana*) Consultation Area but outside of the USFWS Florida bonneted bat Focal Area (Figure 7). The Florida bonneted bat is a state and federally-listed endangered species.

3.2 Field Survey

The field survey was conducted on October 2, 2018. Weather conditions during the survey were partly cloudy skies, with 10 to 15 miles per hour easterly winds, and temperatures in the upper 80s to low 90s. The field survey identified no listed wildlife or plant species on the Project site (Figure 2). No listed species were documented utilizing the Project site during the October 2018 survey.

During a December 2018 site visit, a bald eagle nest was discovered approximately 20 feet north of the northern property boundary (Figure 4).

4.0 SUMMARY

The literature search and review of agency databases found no documented occurrences for listed species on the Project site. The Project site is located within the Primary Zone for the Florida panther and is located within one documented wood stork colony CFA. The Project is located within the consultation area for the RCW and the Florida bonneted bat.

The October 2, 2018 field survey documented no listed species within the Project limits. In December 2018, an active bald eagle nest was documented approximately 20 feet north of the Project. This is a previously undocumented nest location. Prior to the initiation of construction activities, the developer will coordinate with Collier County, the USFWS, and the FWCC with respect to the newly identified bald eagle nest regarding applicable guidelines and permitting requirements as described in the FWCC Bald Eagle Management Plan Handbook (FWCC 2010) and the USFWS National Bald Eagle Management Guidelines (USFWS 2007).

5.0 REFERENCES

- Florida Fish and Wildlife Conservation Commission. 2010. Bald Eagle Management Plan Handbook. Tallahassee, Florida.
- Florida Fish and Wildlife Conservation Commission. 2017. Florida's Endangered and Threatened Species. Official Lists, Bureau of Non-Game Wildlife, Division of Wildlife. Florida Fish and Wildlife Conservation Commission. Tallahassee, Florida.
- Kautz, R., R. Kawula, T. Hootor, J. Comiskey, D. Jansen, D. Jennings, J. Kasbohm, F. Mazzotti, R. McBride, L. Richardson, K. Root. 2006. How much is enough? Landscape-scale conservation for the Florida panther. *Biological Conservation*, Volume 130, Issue 1, Pages 118-133
- Logan, Todd, Andrew C. Eller, Jr., Ross Morrell, Donna Ruffner, and Jim Sewell. 1993. Florida Panther Habitat Preservation Plan South Florida Population. U.S. Fish and Wildlife Service; Gainesville, Florida.
- Runde, D.E., J.A. Gore, J.A. Hovis, M.S. Robson, and P.D. Southall. 1991. Florida Atlas of Breeding Sites for Herons and Their Allies, Update 1986 - 1989. Nongame Wildlife Program Technical Report No. 10. Florida Game and Fresh Water Fish Commission, Tallahassee, Florida.
- U.S. Fish and Wildlife Service. 1987. Habitat Management Guidelines for the Bald Eagle in the Southeast Region.
- U.S. Fish and Wildlife Service. 2007. National Bald Eagle Management Guidelines.

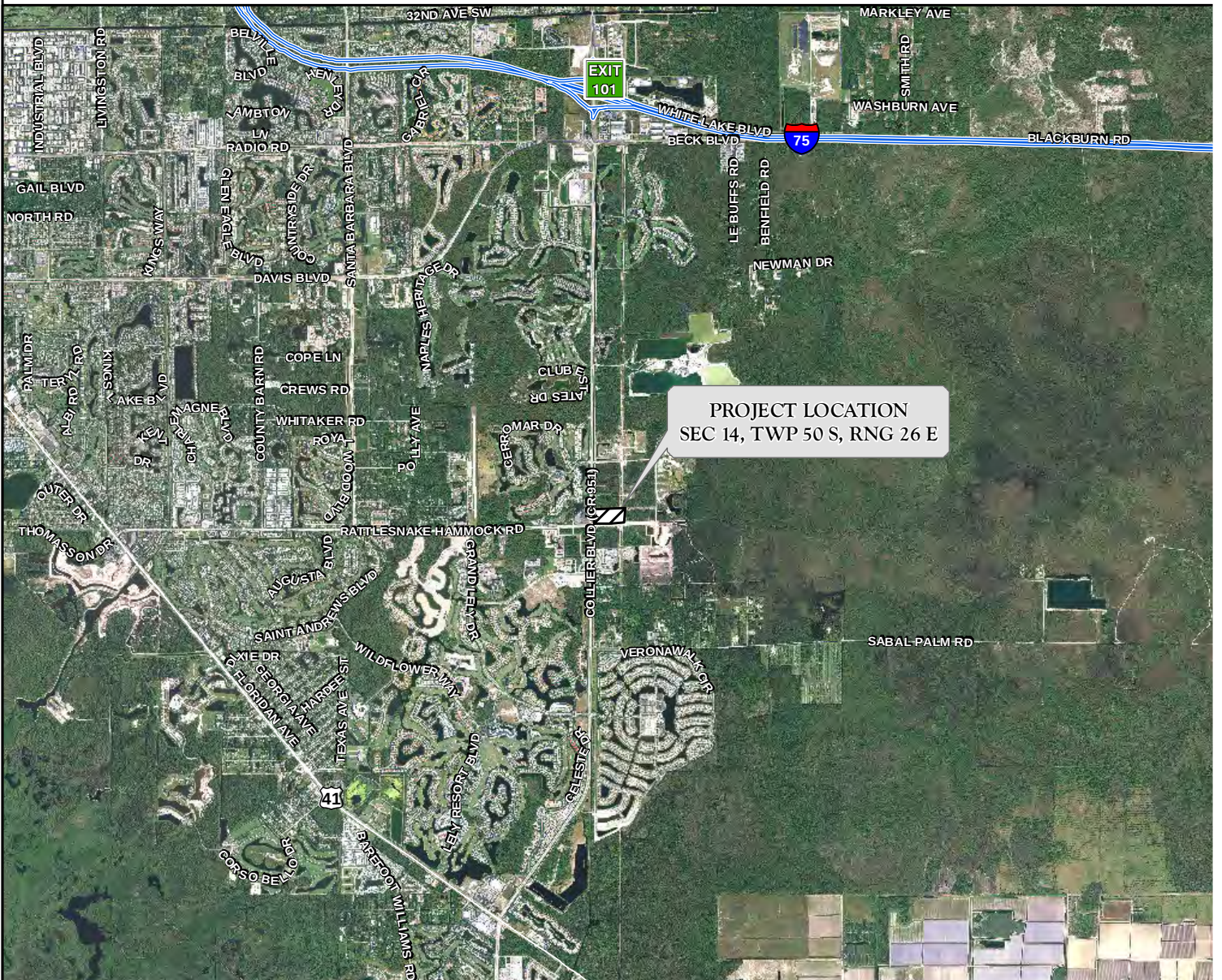
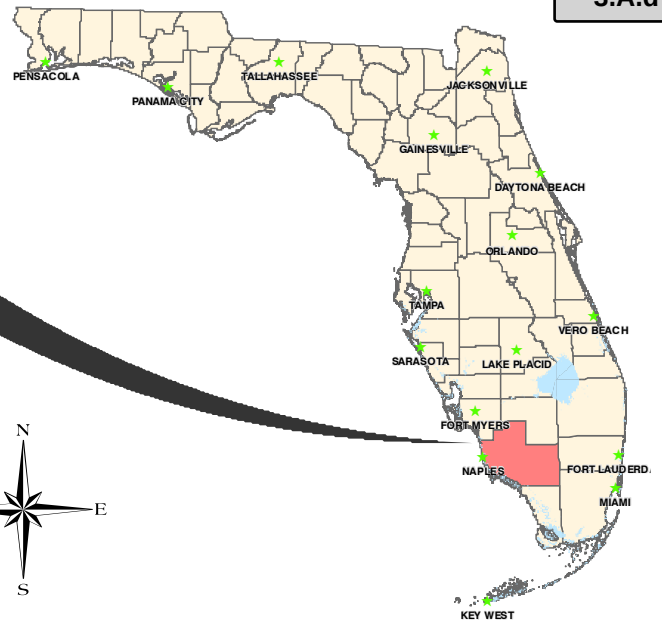
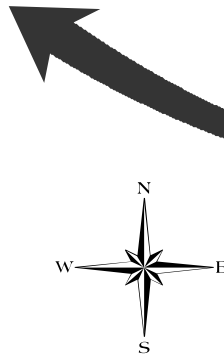
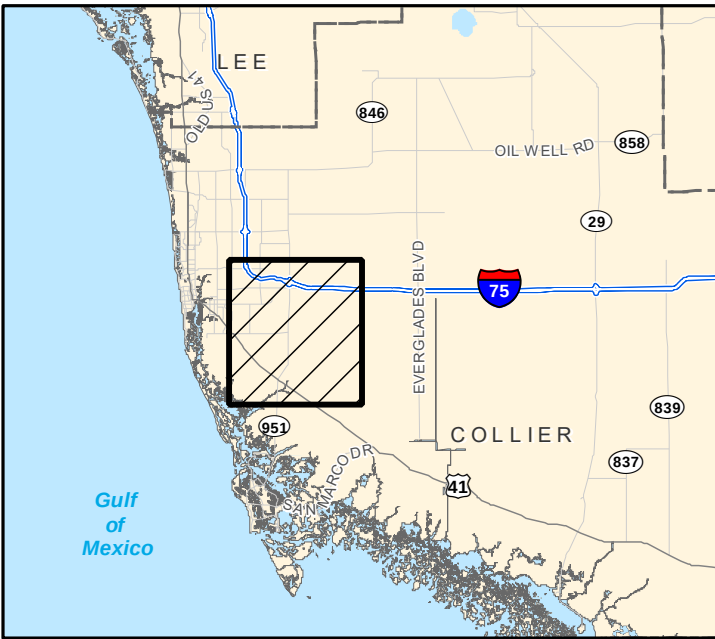


FIGURE 1. PROJECT LOCATION MAP
HAMMOCK PARK

DRAWN BY	T.F.	DATE	10/8/18
REVIEWED BY	B.B.	DATE	10/8/18
REVISED		DATE	





LEGEND:
-- -- SURVEY TRANSECTS

NOTES:
AERIAL PHOTOGRAPHS WERE ACQUIRED THROUGH THE COLLIER COUNTY PROPERTY APPRAISER'S OFFICE WITH A FLIGHT DATE OF DECEMBER 2017.
PROPERTY BOUNDARY PER WALDROP ENGINEERING INC. DRAWING No.18-23SR.DWG DATED SEPTEMBER 26, 2018.

J:\2005\05TSC1438 HAMMOCK PARK COMMERCE CENTER\2018\SSA\FIGURE 2 AERIAL WITH SURVEY TRANSECTS.DWG TAB 17X11-C TB OCT 25, 2018 - 2:18PM PLOTTED BY: THONES

U:\2005\05TSC1438\HAMMOCK PARK	REVISIONS	DATE	DRAWN BY	DATE	13620 Metropolis Avenue Suite 200 Fort Myers, Florida 33912 Phone (239) 274-0067 Fax (239) 274-0069	 PASSARELLA & ASSOCIATES Consulting Ecologists INC.	HAMMOCK PARK AERIAL WITH SURVEY TRANSECTS	DRAWING No.	
			T.F.	10/1/18				05TSC1438	
			DESIGNED BY	DATE				SHEET No.	
			B.B.	10/1/18				FIGURE 2 Packet Pg. 117	
		REVIEWED BY	DATE						

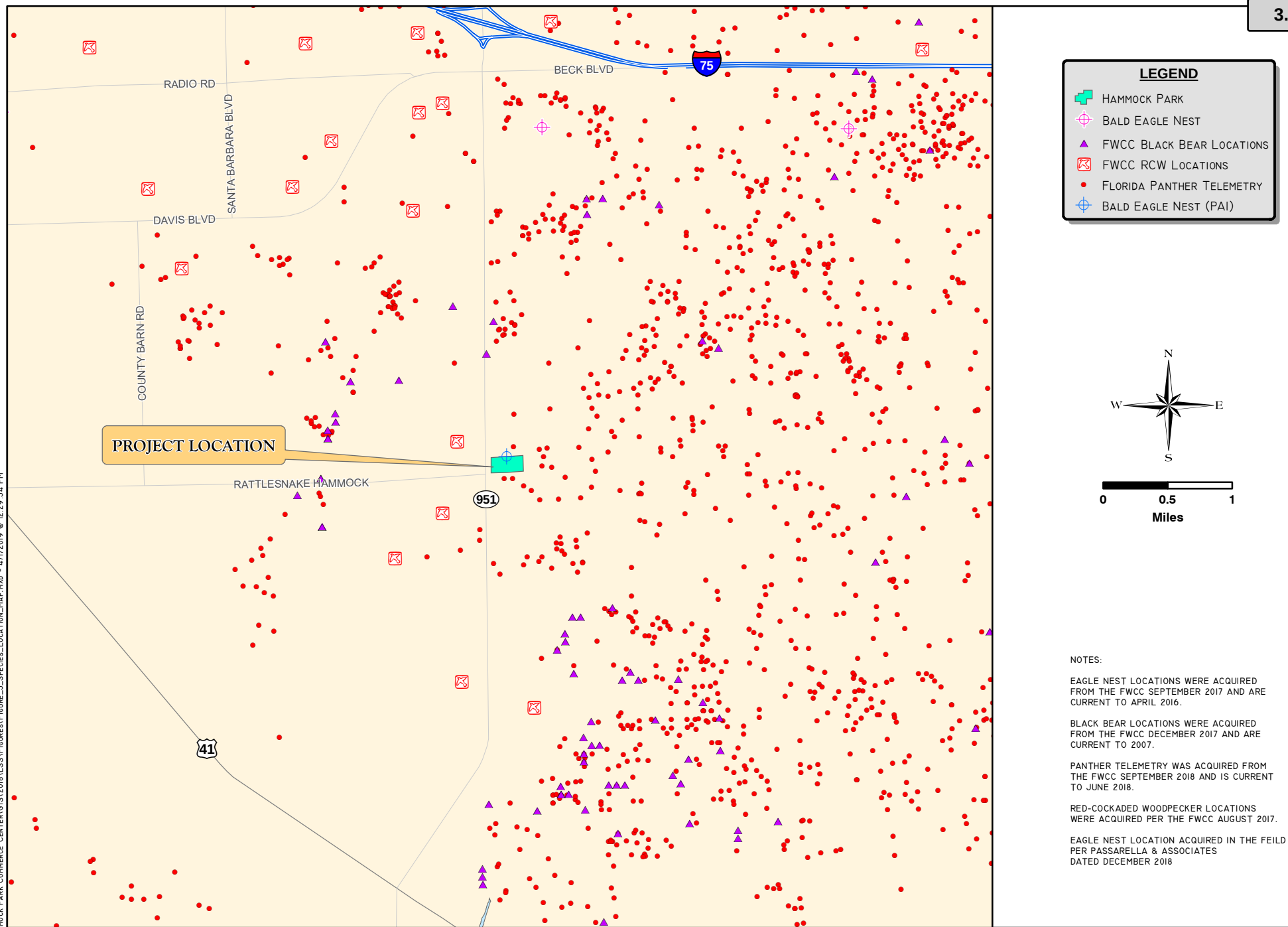


FIGURE 3. DOCUMENTED OCCURRENCES OF LISTED SPECIES
HAMMOCK PARK

DRAWN BY	DATE
D.B.	10/10/18
REVIEWED BY	DATE
R.F.	10/10/18
REVISED	DATE
T.F.	3/26/19



- LEGEND:
- APPROXIMATE LOCATION OF BALD EAGLE NEST
 - 330' ZONE
 - 660' ZONE

NOTES:

AERIAL PHOTOGRAPHS WERE ACQUIRED THROUGH THE COLLIER COUNTY PROPERTY APPRAISER'S OFFICE WITH A FLIGHT DATE OF DECEMBER 2017.

PROPERTY BOUNDARY PER RWA, INC. DRAWING No.501160003DM01.DWG DATED APRIL 2, 2008.

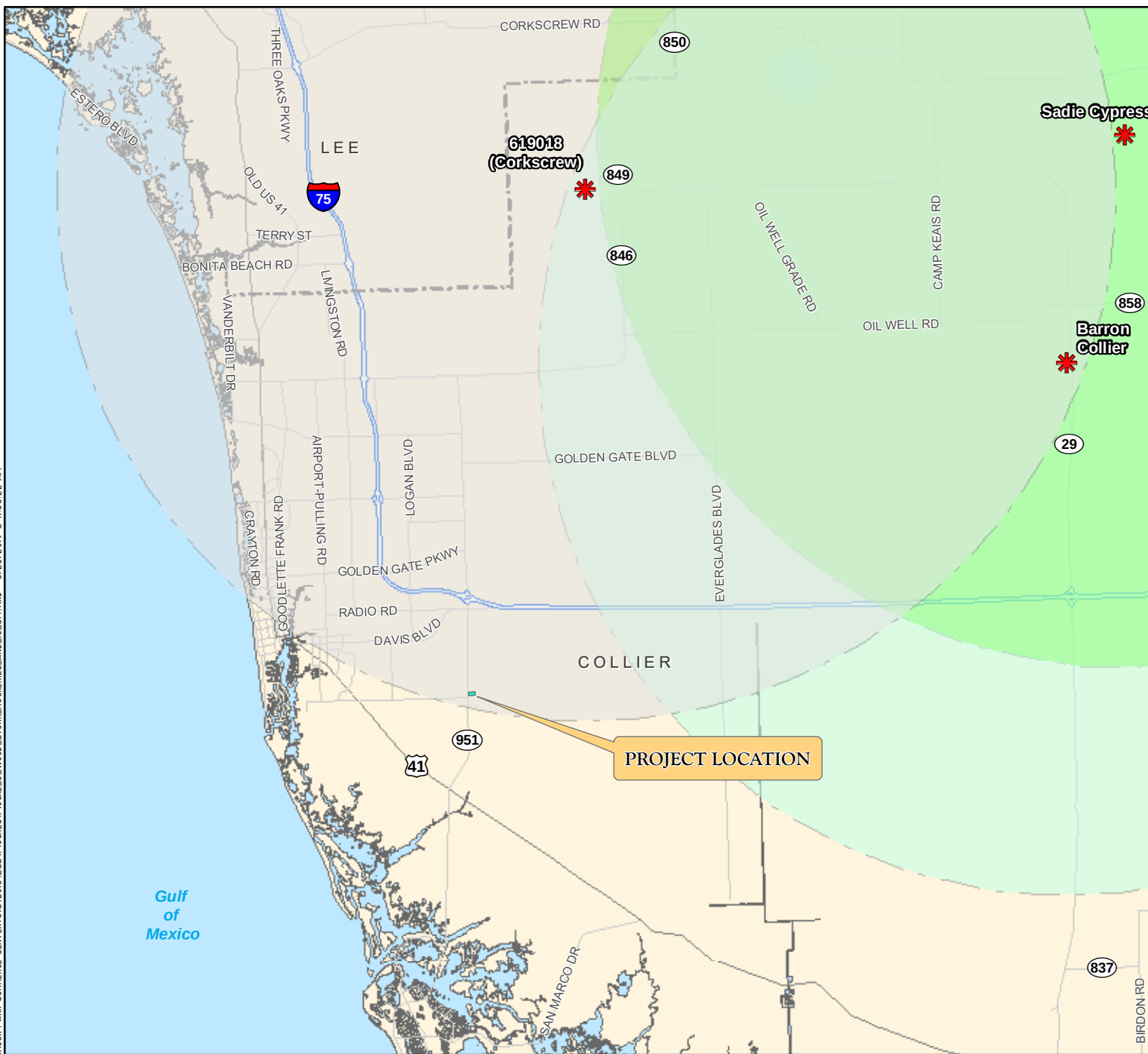
REVISIONS	DATE	DRAWN BY	DATE
		T.F.	10/1/18
		DESIGNED BY	DATE
		B.B.	10/1/18
		REVIEWED BY	DATE

3620 Metropolis Avenue
Suite 200
Ft. Myers, FL 33912
Phone (239) 274-0067
Fax (239) 274-0069



HAMMOCK PARK
AERIAL WITH BALD EAGLE NEST AND PROTECTION ZONES

DRAWING No.
05TSC1438
SHEET No.
FIGURE 4



LEGEND

- HAMMOCK PARK
- WOOD STORK NESTING COLONIES
- 18.6 MILE CORE FORAGING AREAS
- 619018 (CORKSCREW)
- BARRON COLLIER
- SADIE CYPRESS

North arrow and scale bar (0 to 6 Miles).

NOTES:
 COUNTY INFORMATION AND ROADWAY NETWORKS WERE ACQUIRED FROM THE FLORIDA GEOGRAPHIC DATA LIBRARY WEBSITE.
 WOOD STORK NESTING COLONIES WERE ACQUIRED FROM THE FWCC JULY 2016 AND ARE CURRENT TO 2014.

FIGURE 5. FLORIDA WOOD STORK NESTING COLONIES AND 18.6 MILE CORE FORAGING AREAS
 HAMMOCK PARK

DRAWN BY	DATE
D.B.	10/9/18
REVIEWED BY	DATE
R.F.	10/9/18
REVISED	DATE



J:\2005\05\TSC\438\HAMMOCK PARK\COMMERCE CENTER\GIS\2018\SS\FIGURES\FIGURE 5_WOOD STORK NESTING COLONIES AND 18.6 MILE CORE FORAGING AREAS.ham - 3/26/2019 @ 11:55:22 AM

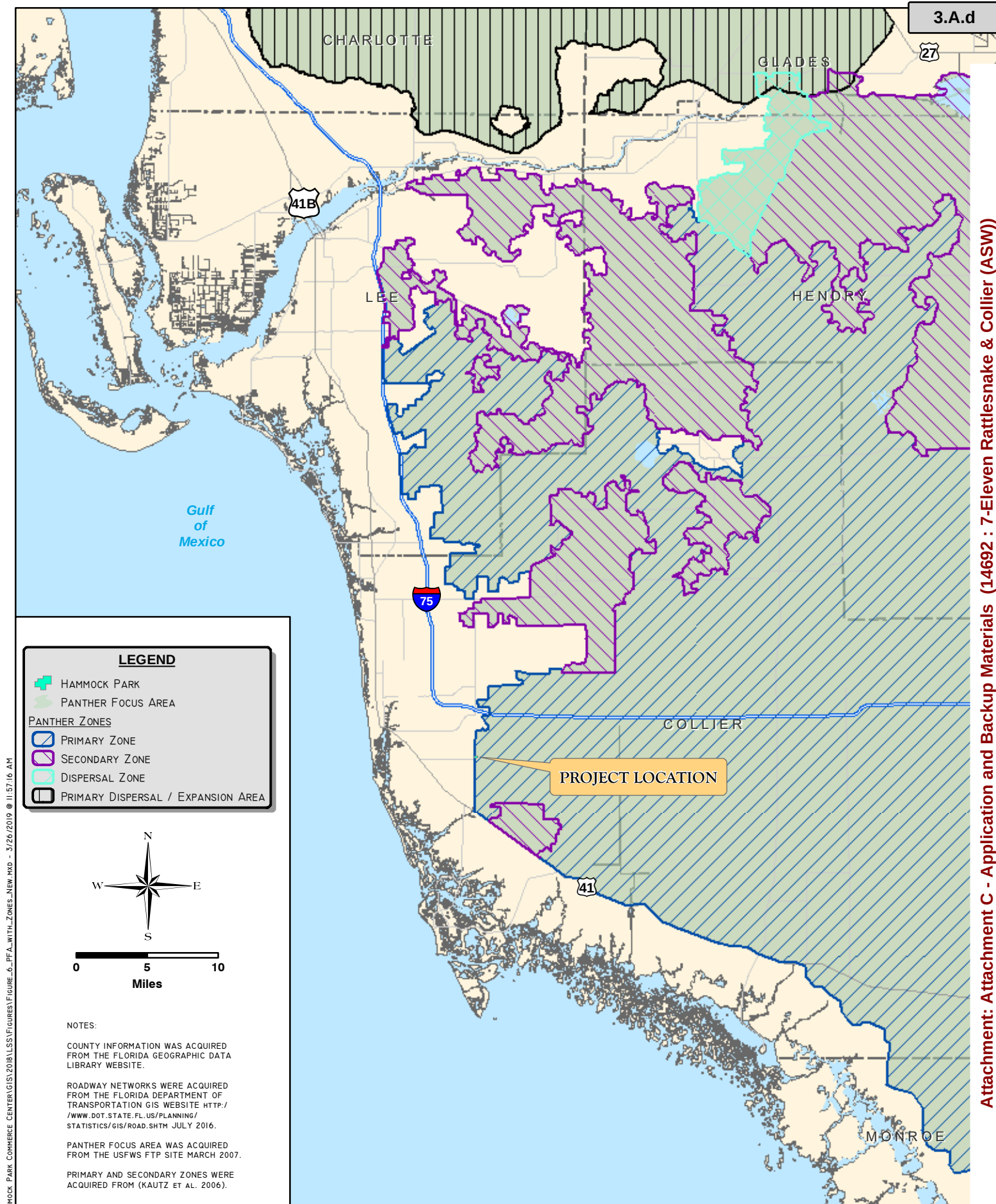


FIGURE 6. PANTHER ZONES WITH PANTHER FOCUS AREA
HAMMOCK PARK

DRAWN BY	DATE
D.B.	10/9/18
REVIEWED BY	DATE
R.F.	10/9/18
REVISED	DATE

EXHIBIT 5

**AERIAL WITH BALD EAGLE NEST
AND PROTECTION ZONES**

Attachment: Attachment C - Application and Backup Materials (14692 : 7-Eleven Rattlesnake & Collier (ASW))



LEGEND:

 APPROXIMATE LOCATION OF BALD EAGLE NEST

 330' ZONE

 660' ZONE

NOTES:

AERIAL PHOTOGRAPHS WERE ACQUIRED THROUGH THE COLLIER COUNTY PROPERTY APPRAISER'S OFFICE WITH A FLIGHT DATE OF DECEMBER 2017.

PROPERTY BOUNDARY PER RWA, INC. DRAWING No.501160003DM01.DWG DATED APRIL 2, 2008.

EXHIBIT 6

**AERIAL WITH ON-SITE AND
ADJACENT OFF-SITE PRESERVE AREAS**

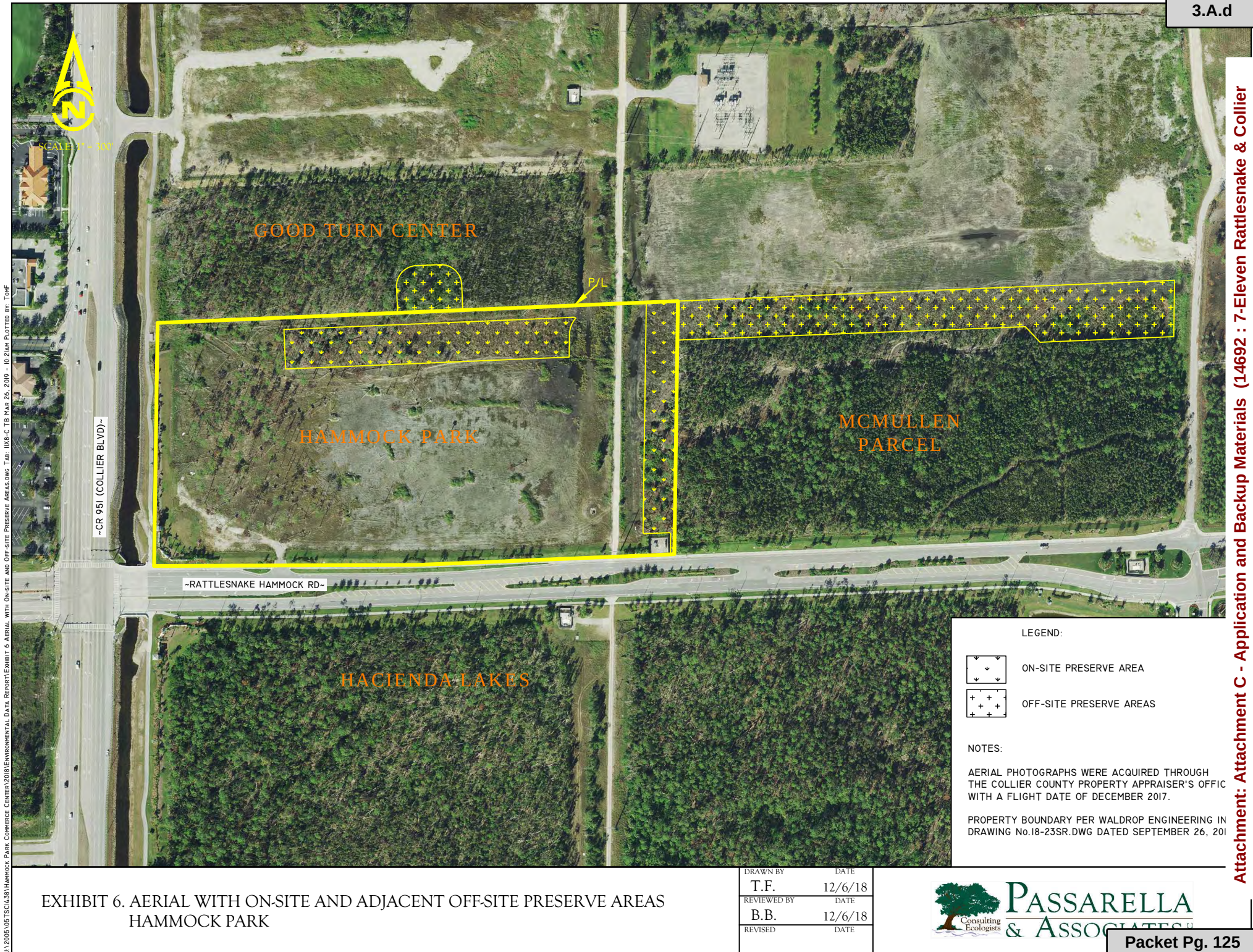
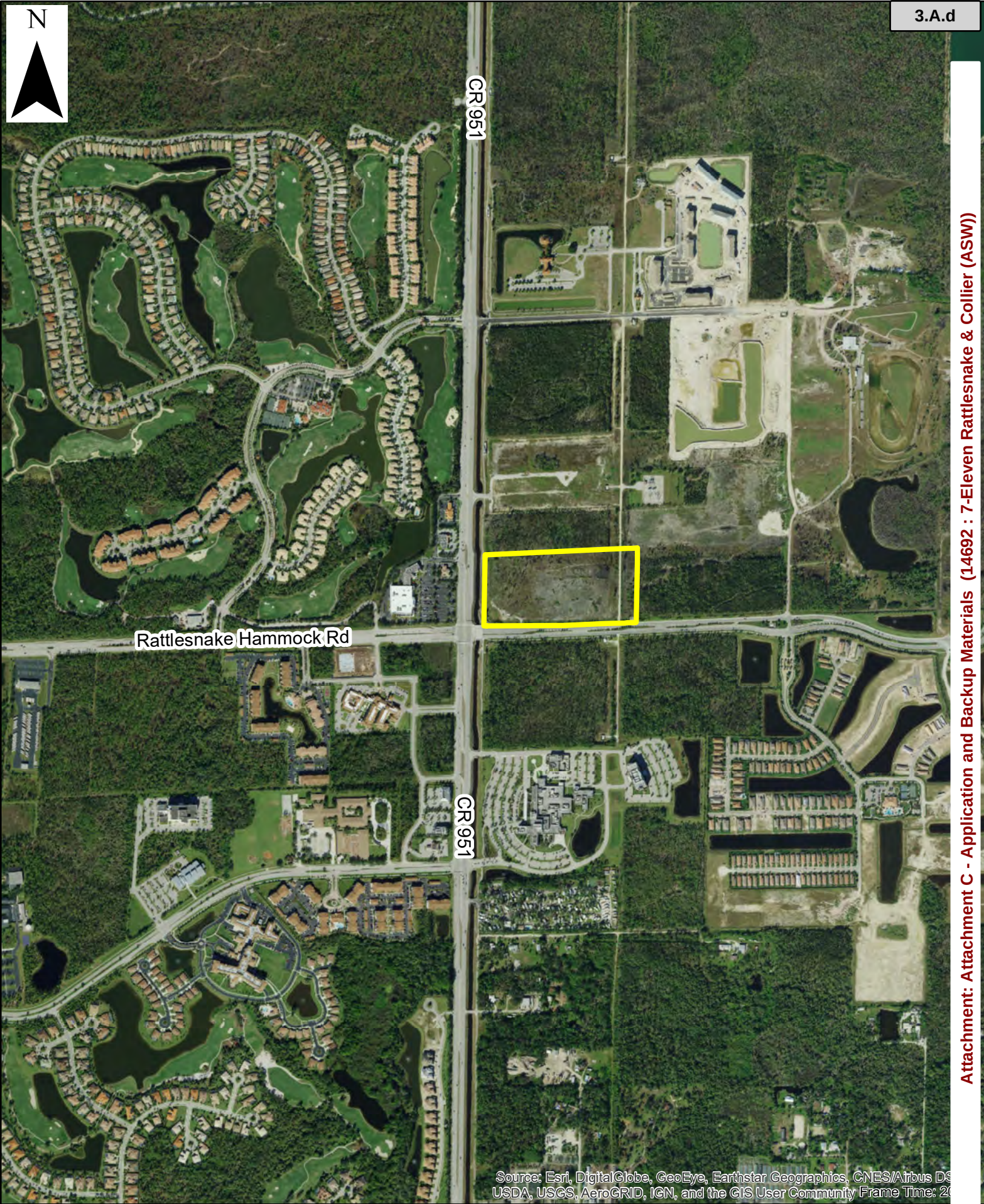


EXHIBIT 6. AERIAL WITH ON-SITE AND ADJACENT OFF-SITE PRESERVE AREAS
HAMMOCK PARK

DRAWN BY	DATE
T.F.	12/6/18
REVIEWED BY	DATE
B.B.	12/6/18
REVISED	DATE



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community Frame Time: 20

USPS NO OBJECTION CORRESPONDENCE

From: [Fontes, Roland N - Fort Myers, FL](#)
To: [Alexis Crespo](#)
Subject: RE: Letter of No Objection-USPS
Date: Thursday, November 12, 2020 1:49:10 PM
Attachments: [image001.png](#)
[image002.png](#)

WARNING - EXTERNAL EMAIL: PLEASE VERIFY SENDER BEFORE OPENING ATTACHMENTS OR CLICKING ON LINKS.

No objection

From: Alexis Crespo [mailto:Alexis.Crespo@waldropengineering.com]
Sent: Tuesday, November 10, 2020 2:34 PM
To: Fontes, Roland N - Fort Myers, FL <Roland.N.Fontes@usps.gov>
Subject: [EXTERNAL] Letter of No Objection-USPS

CAUTION: This email originated from outside USPS. **STOP and CONSIDER** before responding, clicking on links, or opening attachments.

Hi Roland –

I am working on an automobile service station separation waiver application. The site is at the northeast corner of CR 951 and Rattlesnake Hammock Road. The Applicant is proposing an 8 pump gas station, and it's across CR 951 from a Racetrac. I have attached the location exhibit that shows the site, as well as a site plan.

Can you review and provide an email of no objection? Do you need any further information from me?

Thanks!

Alexis Crespo AICP
 Senior Vice President – Planning



alexis.crespo@waldropengineering.com | waldropengineering.com
 o (239) 405-7777 | d (239) 908-3405 | c (239) 850-8525

BONITA SPRINGS | FORT MYERS | ORLANDO | SARASOTA | TAMPA
 28100 Bonita Grande Drive, Suite 305, Bonita Springs, FL 34135

NOTICE. Upon receipt of any electronic file/data from Waldrop Engineering, P.A., you are agreeing to the following: This file/data is for informational purposes only. It is the responsibility of the recipient to reconcile this electronic file/data with the actual project site conditions. Recipient agrees to indemnify and hold harmless Waldrop Engineering, P.A. for any defects or errors in this file/data.

Attachment: Attachment C - Application and Backup Materials (14692 : 7-Eleven Rattlesnake & Collier (ASW))

From: Fred Drovdlc <Fred.Drovdlc@waldropengineering.com>
Sent: Tuesday, November 10, 2020 12:17 PM
To: Alexis Crespo <Alexis.Crespo@waldropengineering.com>
Subject: FW: 7-Eleven Immokalee Letter of No Objection-USPS

Ron Fontes
 Growth Management Coordinator, USPS
 239-220-4718
Roland.N.Fontes@usps.gov

Fred Drovdlc AICP
 Principal Planner / Senior Project Manager



fred.drovdlc@waldropengineering.com | waldropengineering.com
 o (239) 344-0000 | d (239) 318-6707 | c (239) 989-3370

FORT MYERS | BONITA SPRINGS | ORLANDO | SARASOTA | TAMPA
 1514 Broadway, Suite 201, Fort Myers, FL 33901

NOTICE. Upon receipt of any electronic file/data from Waldrop Engineering, P.A., you are agreeing to the following: This file/data is for informational purposes only. It is the responsibility of the recipient to reconcile this electronic file/data with the actual project site conditions. Recipient agrees to indemnify and hold harmless Waldrop Engineering, P.A. for any defects or errors in this file/data.

From: Lauren Evans <levans@creightondev.com>
Sent: Thursday, April 9, 2020 9:46 AM
To: Fred Drovdlc <Fred.Drovdlc@waldropengineering.com>
Subject: FW: 7-Eleven Immokalee Letter of No Objection

WARNING - EXTERNAL EMAIL: PLEASE VERIFY SENDER BEFORE OPENING ATTACHMENTS OR CLICKING ON LINKS.

FYI

Thank you,
 Lauren Evans
levans@creightondev.com



900 SW Pine Island Road, Suite 202
 Cape Coral, FL 33991
 Office: 239-210-0455/Cell: 239-989-3471/Fax: 239-673-7328

Attachment: Attachment C - Application and Backup Materials (14692 : 7-Eleven Rattlesnake & Collier (ASW))

Confidentiality Notice: The information contained in this email and any accompanying attachment(s) is intended only for the use of the intended recipient and may be confidential and/or privileged. Furthermore, the content of this email is for informational purposes only. If any reader of this communication is not the intended recipient, unauthorized use, disclosure or copying is strictly prohibited, and may be unlawful. If you have received this communication in error, please immediately notify the sender by return email and delete the original message and all copies from your system.

From: Fontes, Roland N - Fort Myers, FL <
Sent: Thursday, April 9, 2020 8:52 AM
To: Lauren Evans <levans@creightondev.com>; Sue Monroe <smonroe@naplesgov.com>
Cc: Lloyd, Michael - Naples, FL <mike.lloyd@usps.gov>; Marchant, Anna J - Naples, FL <Anna.J.Marchant@usps.gov>
Subject: 7-Eleven Immokalee Letter of No Objection

USPS LETTER OF NO OBJECTION

DATE: 04-09-2020

The USPS has no objection of the new construction 7-Eleven project listed below.

*7-Eleven (#1045471) Immokalee Automobile Service Station Waiver
Automobile Service Station Waiver (zoning request)
Collier County Case: PL20190001744*

Regards,

Ron Fontes
Growth Management Coordinator, USPS
239-220-4718

Attachment: Attachment C - Application and Backup Materials (14692 : 7-Eleven Rattlesnake & Collier (ASW))

MARKET STUDY ANALYSIS

MARKET ANALYSIS FOR PROPOSED HAMMOCK PARK CONVENIENCE STORE/FUEL STATION ON COLLIER BOULEVARD IN COLLIER COUNTY, FLORIDA

November 16, 2020

Prepared for

**Wilton Land Company, LLC
C/O Mr. David Torres
7742 Alico Road
Fort Myers, FL 33912**

Prepared by



Real Estate Econometrics, Inc.

**Real Estate Econometrics, Inc.
Suite 100
707 Orchid Drive
Naples, Florida 34102
(239) 269-1341
Ree-i.Com**

Executive Summary

Wilton Land Company LLC (“Applicant”) is seeking approval for a proposed convenience store/fuel station (“Project”) at the northeast corner of Collier Boulevard (CR 951) and Rattlesnake Hammock Road in Collier County’s South Naples planning area.

The Project will make a significant contribution to the Collier County economy while at the same time support the rapid growth in the Project’s market area (defined in Section 1.1) without adversely affecting the efficient gasoline market economy in that market area.

- Gasoline market demand is anticipated to grow **12.74%** in the Project’s drive time market area over the next five years.
- The proposed convenience store/gas station will increase the same gasoline market drive time supply by **8.89%**.

The proposed Project will keep the drive time gasoline market efficient by providing the needed supply to accommodate the growing demand in Collier County’s South Naples planning area.

Background

The Applicant is seeking to develop a 1.83-acre parcel of land that is a part of the 18.99-acre Hammock Park Commerce Center commercial planned unit development (“CPUD”) and located at the northeast corner of Collier Boulevard (CR 951) and Rattlesnake Hammock Road in Collier County’s South Naples planning area. The Applicant is proposing a convenience store/fuel station on the property.

An amendment to the CPUD and a companion Growth Management Plan amendment was recently passed by the Collier County Commission for up to 265 apartment dwelling units within the CPUD.

The existing CPUD ordinance indicates gasoline service stations are an allowable use, subject to the provisions of the LDC governing facilities with fuel pumps (LDC 5.05.05). The carwash is permitting within the CPUD as an accessory use to the gas station. There is currently no limit on the number of pumps noted in the CPUD ordinance. The CPUD does not have site development regulations that are specific to gas stations, therefore the requirements of Collier County LDC 5.05.05 will apply.

The Applicant proposes to construct a new 6,500 sf convenience store and free-standing fuel canopy with 8 MPDs (16 fueling positions) on an outparcel at the southwest corner of the parcel. A single bay self-serve automatic carwash is also proposed.

Collier County Code requires 500 feet separation between gas stations and a RaceTrac gas station is located within 500 feet of the Project. Therefore, an Automobile Service Station Waiver ("ASW") is required. Along with a public hearing, the ASW also requires a gas station needs analysis for the Project.

Real Estates Econometrics, Inc. ("Consultant") has been retained to analyze the fuel market for the Applicant. The Consultant is well-versed in preparing needs analysis studies especially in the Southwest Florida marketplace.

This Study is comprised of three (3) parts; the market area demographics, the market analysis and conclusion.

1.0 Market Area Demographics

1.1 Market Area Definition

Since the convenience store/fuel station market is being analyzed, it is appropriate to define the market area for such use by using a drive time calculation. Drive times are calculated by Environmental Systems Research Institute ("ESRI"). The ESRI Business Analyst mapping program is geographic information system-based ("GIS") that calculates market area drive times by actual street networks and posted speed limits and allows for the extraction of census data from that drive time market area.

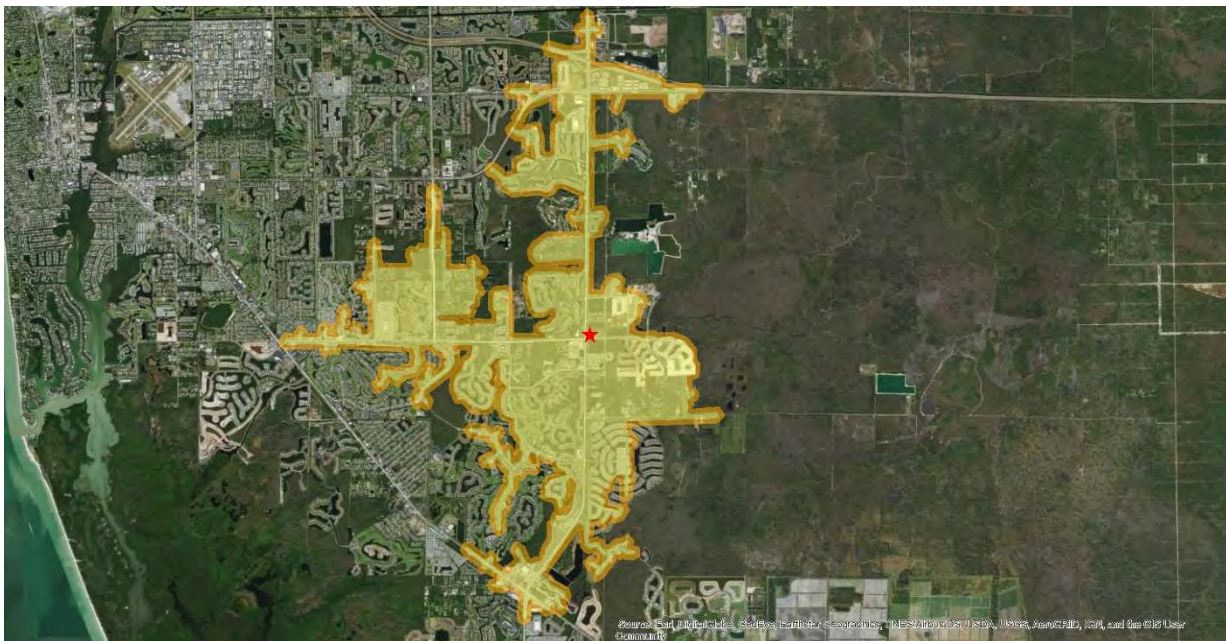
A March 1, 2017 study by the National Association of Convenience Stores ("NACS") on how consumers behave at the pump (See Appendix A) shows that consumers are attracted to convenience store/fuel station facilities based on a number of factors including:

- Price
- Location Convenience
- Brand
- Ease of ingress/egress

As most consumers of a convenience store/fuel station facility are drawn to that facility based primarily on the four factors noted above, it would stand to reason that an immediate market area would include driving within 5-minutes to such a facility to obtain fuel. Most consumers would be fueling as a secondary action while driving for other reasons such as going to the grocery store or traveling to and from work. The above factors indicate that a convenience store/fuel facility market analysis would encompass a 5-minute drive time market area (“Market Area”).

Figure 1.1.1 below depicts the Market Area for the Project.

Figure 1.1.1



Source: ESRI ArcGIS Business Analyst Mapping System

The Market Area configuration will change over time as growth occurs in the area and new roads with new residences are developed. That is important to note when the Market Area demographic detail is reviewed over the next five years in the next section.

1.2 Market Area Demographic Detail

In order to determine the convenience store/fuel station facility demand, a demographic profile of the Market Area is required. The Consultant utilized the Environmental Systems Research Institute's ("ESRI") geographic information systems ("GIS") both desktop and web-based. ESRI's Business Analyst on-line and ArcGIS desktop programs allow for the most current data collecting at the local level. Table 1.2.1 below shows the census-based demographic profile of the population that lives within the Market Area of the subject site.

Table 1.2.1



esri

Demographic and Income Profile

Hammock Park Gas Station

8510 Collier Blvd, Naples, Florida, 34114

Drive Time: 5 minute radius

Prepared by Esri

8/10/2019 2:01:04 PM

Copyright © 2019 Esri

Summary	Census 2010	2019	2024
Population	9,637	12,773	14,451
Households	4,808	6,218	7,010
Families	3,065	4,072	4,612
Average Household Size	1.96	2.02	2.03
Owner Occupied Housing Units	3,806	4,663	5,402
Renter Occupied Housing Units	1,002	1,555	1,608
Median Age	63.8	65.0	65.7
Trends: 2019 - 2024 Annual Rate	Area	State	National
Population	2.50%	1.37%	0.77%
Households	2.43%	1.31%	0.75%
Families	2.52%	1.26%	0.68%
Owner HHS	2.99%	1.60%	0.92%
Median Household Income	4.21%	2.37%	2.70%

Households by Income	2019		2024	
	Number	Percent	Number	Percent
<\$15,000	376	6.0%	310	4.4%
\$15,000 - \$24,999	494	7.9%	403	5.7%
\$25,000 - \$34,999	421	6.8%	357	5.1%
\$35,000 - \$49,999	1,019	16.4%	931	13.3%
\$50,000 - \$74,999	1,228	19.7%	1,313	18.7%
\$75,000 - \$99,999	847	13.6%	1,037	14.8%
\$100,000 - \$149,999	961	15.5%	1,297	18.5%
\$150,000 - \$199,999	316	5.1%	512	7.3%
\$200,000+	556	8.9%	850	12.1%
Median Household Income	\$63,936		\$78,558	
Average Household Income	\$94,291		\$114,935	
Per Capita Income	\$45,419		\$55,008	

Population by Age	Census 2010		2019		2024	
	Number	Percent	Number	Percent	Number	Percent
0 - 4	310	3.2%	405	3.2%	446	3.1%
5 - 9	272	2.8%	362	2.8%	388	2.7%
10 - 14	241	2.5%	310	2.4%	348	2.4%
15 - 19	246	2.6%	308	2.4%	343	2.4%
20 - 24	268	2.8%	365	2.9%	383	2.7%
25 - 34	640	6.6%	880	6.9%	933	6.5%
35 - 44	614	6.4%	742	5.8%	843	5.8%
45 - 54	833	8.6%	921	7.2%	951	6.6%
55 - 64	1,635	17.0%	2,086	16.3%	2,278	15.8%
65 - 74	2,443	25.3%	3,524	27.6%	4,119	28.5%
75 - 84	1,607	16.7%	2,058	16.1%	2,547	17.6%
85+	530	5.5%	811	6.3%	873	6.0%

Race and Ethnicity	Census 2010		2019		2024	
	Number	Percent	Number	Percent	Number	Percent
White Alone	8,685	90.1%	10,834	84.8%	11,930	82.6%
Black Alone	514	5.3%	1,088	8.5%	1,422	9.8%
American Indian Alone	18	0.2%	26	0.2%	32	0.2%
Asian Alone	69	0.7%	123	1.0%	168	1.2%
Pacific Islander Alone	3	0.0%	3	0.0%	5	0.0%
Some Other Race Alone	257	2.7%	532	4.2%	689	4.8%
Two or More Races	91	0.9%	166	1.3%	205	1.4%
Hispanic Origin (Any Race)	1,220	12.7%	2,239	17.5%	2,933	20.3%

Data Note: Income is expressed in current dollars.

Source: U.S. Census Bureau, Census 2010 Summary File 1. Esri forecasts for 2019 and 2024.

Data Note: Income is expressed in current dollars.

Source: U.S. Census Bureau, Census 2010 Summary File 1. Esri forecasts for 2019 and 2024.

Source: ESRI and U.S. Census Bureau

In 2019, the population for the Market Area is 12,773 and the number of households is 14,451. The majority of household incomes range from \$35,000 to \$150,000 and the median household income of the Market Area is \$63,936. The average household income for this market area is \$94,291.

Table 1.2.2 below shows the workforce makeup of the Market Area. The workforce makes up 33.49% of the total market area population and will be significant contributors to the product sales of the convenience store/fuel station. The majority of the workforce is in the services industry and is white collar in occupation.

Table 1.2.2

	
Market Profile	
Hammock Park Gas Station 8510 Collier Blvd, Naples, Florida, 34114 Drive Time: 6 minute radii	Prepared by Esri Latitude: 26.11043 Longitude: -81.68623
2019 Employed Population 16+ by Industry	5 minutes
Total	4,265
Agriculture/Mining	1.7%
Construction	6.0%
Manufacturing	1.8%
Wholesale Trade	1.0%
Retail Trade	15.5%
Transportation/Utilities	1.2%
Information	2.1%
Finance/Insurance/Real Estate	5.4%
Services	61.3%
Public Administration	4.1%
2019 Employed Population 16+ by Occupation	
Total	4,266
White Collar	54.4%
Management/Business/Financial	10.3%
Professional	15.7%
Sales	14.7%
Administrative Support	13.7%
Services	33.9%
Blue Collar	11.8%
Farming/Forestry/Fishing	1.9%
Construction/Extraction	1.8%
Installation/Maintenance/Repair	3.3%
Production	1.4%
Transportation/Material Moving	3.4%

Source: ESRI and U.S. Census Bureau

2.0 MARKET ANALYSIS

2.1 Market Area Demand

The Consultant next determined the market area demand for gasoline in 2019 and then over a 5-year period to 2024 in order to calculate the future demand for gasoline coming from the Market Area. Table 2.1.1 shows that the market area's 2019 population is 12,773 and the persons per household is 2.02 as taken from Table 1.2.1 and equates to a household count of 6,218 per ESRI. The household count is required since the annual amount spent on fuel in the Market Area is calculated on a per household basis.

Table 2.1.1

Population	12,773
Persons Per Household	2.02
Households	6,218

Source: ESRI and U.S. Census Bureau

In order to determine the 2024 population for the same Market Area, the Consultant then utilized the population projection from Table 1.2.1. The table and its forecasts are based on census data. Table 2.1.2 below shows that the Market Area population is projected to increase by 1,678 people between 2019 and 2024.

Table 2.1.2

Year	5-Minute Drive Time Population
2019	12,773
2024	14,451
Increase:	1,678

Source: ESRI and US Census Bureau

The next step in calculating the demand for gasoline from the Market Area is to determine the number of gallons of fuel consumed annually in the Market Area. The Consultant utilized the U.S. Census population data for the Market Area and combined it with the U.S. Census automotive expenditures data (Appendix B) and the Market Area average price to calculate the Market Area's annual consumption of gasoline. Table 2.1.3 on the next page shows the calculation. The Consultant made the same calculation for both 2019 and 2024

Table 2.1.3

	2019	2024
Population	12,773	14,451
Households	6,218	7,010
Average Amount spent on gas per Household	\$2,502.67	\$2,502.67
Total Amount Spent in market area	\$15,561,602.06	\$17,543,716.70
Average gasoline price per gallon (from Appendix C):	\$2.29	\$2.269
Gallons Consumed Annually in Market Area:	6,795,459	7,661,012
Demand Increase from 2019 to 2024:		12.74%

Source: ESRI, Automotive Aftermarket Expenditures, Consultant Field Study (Appendix C)

The annual gallons of fuel consumed in the market area will increase by 865,552 which equates to a Market Area demand increase of **12.74%** over the five-year period.

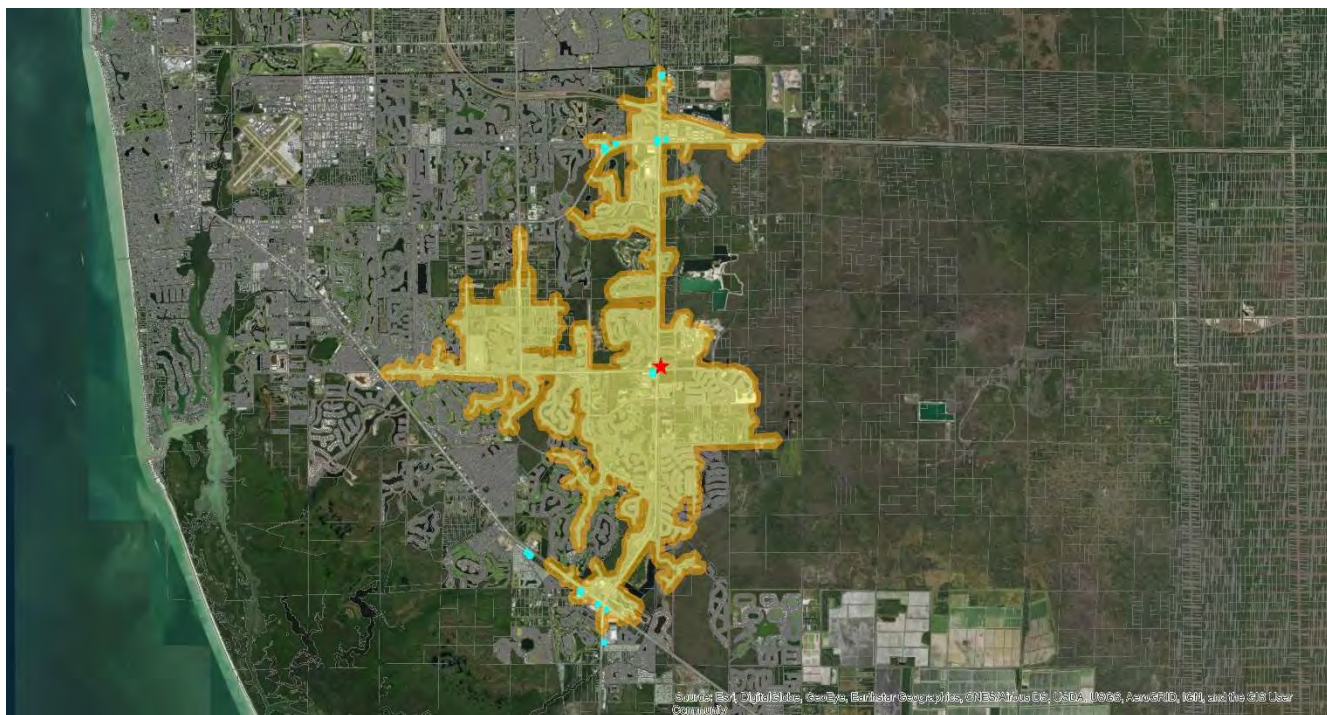
2.2 Market Area Supply

In order to determine the impact the Project will have on the supply, the Consultant first needs to identify the existing gas stations in the Market Area, then calculate the number of cars using the existing gas stations on a weekly basis and finally determine the number of cars that would be using the Project's fuel to ascertain the percent growth the Project's supply will have on the total Market Area supply.

The Consultant first used the same Market Area drive time to determine the number of competitive gas stations located within the boundaries of the Market Area. Figure 2.2.1 on the next page shows the competitive gas stations in light blue as they geographically relate to the Project location (red star).

(Rest of Page Left Intentionally Blank)

Figure 2.2.1



Source: ESRI, Collier County Property Appraiser, DOR List with Consultant Field Study (Appendix C)

There are 12 gas stations within the Market Area boundary and all are convenience store/fuel stations. The list of the competitive stations, their makeup and photos are located in Appendix C.

The Consultant then utilized NACS data to examine the supply side of the competition in the Market Area. The NACS 2015 Fuel Report (Appendix D, Page 30) along with the American Independent Business Alliance (“AMIBA”) report (Appendix E, Page 2) points out that big box mass merchandise stores sell 278,000 gallons of gasoline per month and that amount is more than half of the amount sold by convenience store/fuel station locations. Based on that statistic, the Consultant used 270,000 gallons as a base amount and used 50% (135,000) of that amount as the average amount of gallons sold per month at a convenience store/fuel station location. There was no state, regional or local data available. From that point, the Consultant calculated the 12-station Market Area gallons sold during the weekday for a week. Table 2.2.1 on the next page shows that calculation.

Table 2.2.1

Station Gallons per Month:	135,000
Station Gallons per week:	33,750
Station Gallons for 5 weekdays:	24,107
Stations:	12
Market Area Gallons per 5-day week:	289,286

Source: NACS 2015 Fuel Report (Appendix D) and AMIBA Report (Appendix E)

The Project's contribution in terms of total supply is then added to the Market Area total so that the number of cars per 5-day week could be determined. Table 2.2.2 below shows that calculation.

Table 2.2.2

Market Area Gallons per 5-day week:	289,286
Project Contribution per 5-day week:	24,107
Market Area Gallons per 5-day week with Project:	313,393

Source: Consultant

The next step is to calculate the number of gallons per week that is consumed per car in the marketplace. A cars per household statistic is required for this calculation. The Consultant utilized a study by Governing, a highly regarded media platform covering politics, policy and management for state and local government leaders (Appendix F). Each car uses 10.86 gallons per week in the Market Area. This calculation is shown in Table 2.2.3 below.

Table 2.2.3

Drive Time Population	12,773
Drive Time Households	6,218
Annual Fuel Cost per Household	\$2,502.67
Cars Per Household (Appendix F)	1.78
Annual Fuel Cost per Car	\$1,405.99
Avg. Market Area Price per Gallon (Appendix C)	\$2.49
Annual Gallons Consumed per Car	564.66
Weeks per Year	52
Gallons Per Car Per Week	10.86

Source: ESRI, Automotive Aftermarket Expenditures, Consultant Field Study (Appendix C), Governing calculations of 2015 and 2016 one-year Census American Community Survey

The next calculation is to convert the gallons per 5-day week to cars purchasing those gallons in the Market Area in order to compare to the cars per 5-day week as calculated by the Project traffic study that will purchase fuel at the Project. Table 2.2.4 shows that calculation.

Table 2.2.4

Market Area Gallons per 5-day week with Project (from Table 2.2.2):	313,393
Gallons per car per week (from Table 2.2.3):	10.86
Cars per 5-day week in Market Area:	28,861

Source: Consultant

The number of cars per 5-day week for the Project is the next calculation needed to compare the Project's contribution to the supply. Using the Project's traffic study (Appendix G) and a study performed by C-Store Shopper Insights (Appendix H), the Consultant determined that 1,918 cars will be purchasing gasoline at the Project's fuel stations over a 5-weekday period. Table 2.2.5 below shows that calculation.

Table 2.2.5

Cars buying Gasoline at the Project during 5-Weekday period

	Per hour	Total Cars in
Weekday Per hour am (4 hours)	100	400
Weekday Per hour pm (4 hours)	86	344
Total Cars in per weekday:		744
C-Store data: 69% cars in for gas:	69.00%	513
Project cars buying gas over 5-weekdays:		2,567

Source: Project Traffic Study (Appendix G), page 7. C-Store Shopper Insights, Page 1 (Appendix H)

The Project's percentage of contribution to the Market Area supply is the last calculation. Table 2.2.6 below shows that the Project will contribute 2,567 fuel purchasers to the Market Area, equating to a Market Area supply increase of **8.89%**

Table 2.2.6

Market Area cars per 5-weekdays including Project (from Table 2.2.4):	28,861
Project cars per 5-weekdays (from Table 2.2.5):	2,567
Project Supply percent increase to the Market Area Supply:	8.89%

Source: Consultant

2.3 Supply – Demand Analysis

The final step in the Market Study supply-demand analysis is to put the supply and demand calculations together in order to determine the oversupply or undersupply of gasoline in the Market Area with the addition of the Project. Table 2.3.1 shows that over the next five years there will be a **3.85%** deficit supply of gasoline to serve the Market Area over the next five (5) years.

A basic economic principal states that all markets are efficient and that supply is for the most part generated as demand dictates. It is a rare economic situation where supply generates demand. This basic economic principal shows that markets are efficient in terms of supply and demand and the ultimate lack of available fuel station choices creates an impediment to the market functioning properly.

The economic principal stated above would indicate that fuel station supply will be added to the Market Area in order to equalize the demand side of the Market Area's supply/demand equation. The Project will increase the Market Area's supply side by **8.89%** thus stabilizing the Market Area's supply/demand equation for the next five (5) years. There will still be a **3.85%** supply deficit in the next five (5) years even with the Project addition to the supply.

Table 2.3.1

Market Area Demand Growth (Table 2.1.3)	12.74%
Project percent of market (Table 2.2.6)	8.89%
Market Area 5-year supply = surplus/(deficit)	(3.85%)

The addition of the Project will not only satisfy the increased demand over the next five (5) years, it will also keep gasoline prices reasonable by absorbing a majority of the five (5) year projected demand increase and not constraining the gasoline supply thus forcing gas prices to escalate. The Project will compensate for properties along the Market Area corridor that may not be developed as convenience store/fuel stations due to being unavailable for sale or subject to other development constraints. And the Project will be new to the market in terms of construction and exterior ambiance thus providing an upgrade to the Collier Boulevard development corridor and potentially force older gas station/convenience store competitors to upgrade their exterior and interior appearances.

3.0 CONCLUSIONS

- 3.1 The Consultant used all of the data and analysis in the previous sections to determine the total supply and demand for gasoline sales in the Project's market area for the next five years. From there, the Consultant then determined the Project's impact on the Market Area in terms of the Market Area's percent of demand growth versus the Market Area's percent of supply increase with the addition of the Project's supply.

The results show compellingly that the addition of the Project to the Market Area will not adversely affect the balance of gasoline supply while addressing the demand coming from the future growth and make significant economic contributions to Collier County in terms of gas taxes, sales taxes and property taxes.

The Market Area is currently assumed to be in equilibrium as economic studies have shown that markets are efficient in terms of supply and demand and the future supply will be developed as the market grows and diversifies. The Project will help address the demand coming to the Market Area over the next five years. Based on the analysis, there will be even more of a gasoline supply need for the Market Area over the next five (5) years and beyond even with the addition of the Project.

APPENDIX A

[Ask NACS](#)
[About NACS](#)
[Foundation](#)

[Conexus](#)
[Fuels Institute](#)
[Related Associations](#)

[Terms of Use](#)
[Privacy Policy](#)
[Glossary](#)

[Advertise](#)
[For Suppliers](#)

1600 Duke Street
Alexandria, Va 22314

Copyright © 2017 NACS

THE ASSOCIATION FOR CONVENIENCE & FUEL
RETAILING

NACS Online

[About Basics](#) [Articles](#) [Multimedia](#) [News](#) [Research](#)

[Basics](#) / [Articles](#) / [How Consumers Behave at the Pump](#)

HOW CONSUMERS BEHAVE AT THE PUMP

Nearly 40 million Americans fill up their vehicles every day. How they drive, consider gas prices and determine whether they go inside the store has a profound impact on convenience stores.

By NACS Published: 3/1/2017 10

Tags: Consumers; Pay at the Pump

Nearly 40 million Americans fill up their vehicles every day. How they drive, consider gas prices and determine whether to shop inside a convenience store for food, snacks and beverages has a profound impact on the retail channel that sells 80% of the fuel purchased in the United States. Let's look at some of the broad characteristics of how consumers buy gas and examine how convenience retailers can keep them coming back.

In particular, we examine:

- Consumer behavior at the pump
- What retailers can do to change consumer behavior
- Overall driving habits

NACS has surveyed consumers about their perceptions related to gas prices since 2007 and has conducted monthly consumer sentiment surveys since 2013. NACS commissioned Penn, Schoen and Berland Associates LLC to conduct 1,114 online interviews with adult Americans on January 3-6, 2017. The margin of error for the entire sample is +/- 2.95% at the 95% confidence interval and higher for subgroups. Below are the questions and overall responses.

Consumer Behavior at the Pump

Understanding how consumers feel about gasoline prices can help convenience retailers execute their marketing strategies. It's also important to determine how consumers buy gas, which reveals some interesting variations.

Filling Up the Tank

Consumers are more likely to buy gas during the evening rush than the morning daypart (36% vs. 22%), likely because of morning time pressures. But these time pressures vary by demographic. Those most likely to purchase fuel in the morning are consumers age 34-49 who generally face time pressures related to organizing family activities, etc. There may be an opportunity to focus marketing on this segment to encourage more breakfast items. Meanwhile, those age 50 and older are most likely to purchase gas mid-day, outside of rush hours. A promotional campaign around slowing down and enjoying a snack or meal inside the store might appeal to this demographic.

Q: What time of the day do you often purchase gas?

(%) Gas Consumers 2017	Age			
	18-34		35-49	50+
Morning, or roughly 6 am to 10 am	22	19	28	21
Mid-day, or roughly 10 am to 3 pm	32	27	25	41

I Am Looking For: Search this site... 

RELATED ARTICLES



What Consumers Say About
Fueling

By NACS [Read More](#)



Are You Average?

By NACS [Read More](#)



Survey Says...

By NACS Magazine [Read More](#)

Afternoon, or roughly 3 pm to 7 pm	36	41	37	32
Night, or roughly 7 pm to midnight	9	13	10	6
Overnight, or roughly midnight to 6 am	1	0	1	0

Most fueling sites offer three octane grades: regular (usually 87 octane), mid-grade (usually 89 octane), and premium (usually 92 or 93 octane). Regular octane is the dominant fuel, while those who buy higher-octane fuels are likely doing so because their vehicle requires it. There are some variations by age; younger consumers are the least interested in mid-grade as a fueling option.

Q: What octane grade do you typically purchase for the vehicle you most commonly drive?

(% Gas Consumers 2017		Gender		Age		
		M	F	18-34	35-49	50+
Regular	82	80	84	82	78	86
Mid-grade	8	10	7	5	11	5
Premium	8	10	7	11	10	5
Other	1	0	1	0	1	1
Don't know	0	0	1	1	0	0

Fully three quarters of consumers pay by plastic (73%). The percentage of consumers who pay by plastic has increased by 9 percentage points between 2009 and 2017. In reviewing subcategories, debit cards are most used by females (41%) and those age 18–34 (45%). Credit cards are most popular with those age 50 and older (47%).

Q: Which payment method do you typically use to purchase gas?

(% Gas Consumers 2017		Track					
		2016	2015	2014	2013	2012	2009
Cash	26	28	23	27	27	33	35
Credit	36	34	40	37	35	41	37
Debit	37	38	38	36	37	24	27
Total debit and credit	73	72	78	73	72	65	64

Shopping on Price

The rise of mobile commerce, apps and price-checking websites make it easier for consumers to shop for deals and “steals” on everything from appliances to new shoes, a mentality that also carries over to gasoline. Simply put, no matter what the price per gallon is, consumers want to find the best price they can. Approximately two in three consumers have consistently shopped on price, whether gas was as low as \$1.62 per gallon at the start of 2009, or as high as \$3.28 per gallon at the start of 2013. However, a focus on price is diminishing and has fallen 10 percentage points in just two years. Location has grown more important to consumers, as well as the in-store food offer. The price per gallon is least important to those who over the past 30 days who bought a sandwich at a place where they also purchased gas (56%).

Q: When buying gas, which of the following factors is important to you?

(% Gas Consumers 2017	Track						
	2016	2015	2014	2013	2012	2009	
Price	61	64	71	66	71	63	70
Location of store/station	25	20	18	20	18	20	19
Brand	8	9	8	8	8	8	9
Ease of entrance or exit	4	6	3	4	2	6	-
Other	1	1	1	1	1	2	1

So how do price-sensitive consumers shop by price? The traditional gas price sign remains the most common method, particularly among drivers during the morning rush (65%). Loyalty cards are a second choice and are used by one in seven (16%) price-sensitive consumers.

APPENDIX B



Automotive Aftermarket Expenditures

3.A.d

Hammock Park Gas Station
8510 Collier Blvd, Naples, Florida, 34114
Drive Time: 6 minute radius

Prepared by Esri
Latitude: 26.11043
Longitude: -81.68623

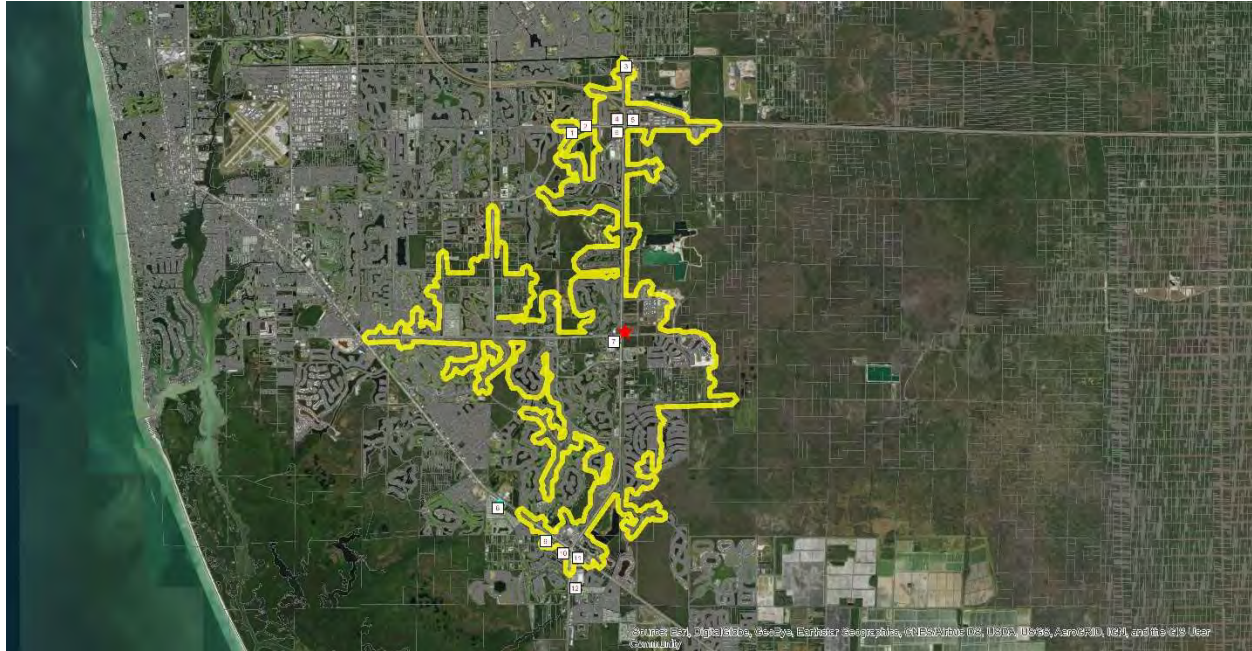
Demographic Summary		2019	2024
Population		12,773	14,451
Households		6,218	7,010
Families		4,072	4,612
Median Age		65.0	65.7
Median Household Income		\$63,936	\$78,558
	Spending Potential Index	Average Amount Spent	Total
Payments on Vehicles excluding Leases	114	\$2,886.11	\$17,945,805
Gasoline and Motor Oil			
Gasoline	113	\$2,502.67	\$15,561,605
Diesel Fuel	154	\$82.85	\$515,149
Motor Oil	136	\$21.03	\$130,750
Other Vehicle Expenses			
Vehicle Maintenance & Repairs	117	\$1,338.57	\$8,323,245
Vehicle Coolant/Brake/Transmission Fluids	123	\$10.65	\$66,218
Tire Purchase/Replacement	130	\$233.38	\$1,451,163
Vehicle Parts/Equipment/Accessories	124	\$81.18	\$504,747
Vehicle Accessories including Labor	127	\$15.21	\$94,591
Vehicle Cleaning Services including Car Washes	102	\$28.31	\$176,062
Miscellaneous Auto Repair/Serviceing	97	\$154.01	\$957,656
Vehicle Body Work & Painting	118	\$43.84	\$272,628
Vehicle or Engine Repairs	117	\$289.75	\$1,801,650
Vehicle Motor Tune-up	129	\$63.48	\$394,726
Lube/Oil Change & Oil Filters	116	\$137.89	\$857,418
Vehicle Front End Alignment/Wheel Balance &	131	\$40.45	\$251,508
Vehicle Shock Absorber Replacement	104	\$15.92	\$98,986
Tire Repair and Other Repair Work	111	\$166.44	\$1,034,933
Auto Repair Service Policy	140	\$58.05	\$360,960
Vehicle Insurance	114	\$1,765.30	\$10,976,640
Rental of Vehicles excluding Trips	110	\$61.25	\$380,852
Leased Vehicles	100	\$403.44	\$2,508,618
Basic Lease Charge for Cars/Trucks	98	\$351.42	\$2,185,160
Car/Truck Lease Fees & Down Payments	117	\$52.02	\$323,458
Vehicle Pers Property Taxes/State & Local Registr Fees	127	\$239.80	\$1,491,068
Driver`s License Fees	109	\$13.70	\$85,215
Vehicle Inspection Fees	114	\$18.00	\$111,943
Parking Fees & Tolls excluding Trips	80	\$92.24	\$573,551
Parking Fees excluding Residence (Not on Trips)	79	\$45.23	\$281,255
Tolls/Electronic Toll Passes excluding Trips	81	\$47.01	\$292,296
Towing Charges	94	\$6.26	\$38,949
Auto Service Clubs & GPS Services	126	\$44.95	\$279,526

Data Note: The Spending Potential Index (SPI) is household-based, and represents the amount spent for a product or service relative to a national average of 100.
Source: Esri forecasts for 2019 and 2024; Consumer Spending data are derived from the 2016 and 2017 Consumer Expenditure Surveys, Bureau of Labor Statistics.

Attachment: Attachment C - Application and Backup Materials (14692 : 7-Eleven Rattlesnake & Collier (ASW))

APPENDIX C

HAMMOCK PARK DRIVE TIME AREA COMPETITIVE CONVENIENCE STORES/FUEL STATIONS



Map ID	Facility Name	Site Address	DOR Facilities Report Status	Convenience Store	MPDs	Pumps	87 Octane	89 Octane	93 Octane
1	RaceTrac	8485 DAVIS BLVD	OPEN	YES	8	16	2.16	2.46	2.76
2	Circle K - Shell	8600 RADIO LN	OPEN	YES	3	6	2.16	2.53	2.80
3	Shell	3835 WHITE LAKE BLVD	OPEN	YES	6	12	2.16	2.53	2.80
4	Marathon	8901 DAVIS BLVD	OPEN	YES	8	16	2.39	2.89	3.09
5	Shell	3825 TOLLGATE BLVD	OPEN	YES	6	12	2.59	2.89	3.09
6	Mobil	8900 DAVIS BLVD	OPEN	YES	8	16	2.40	2.90	3.00
7	RaceTrac	8483 COLLIER BLVD	OPEN	YES	8	16	2.23	2.53	2.83
8	RaceTrac	11700 TAMIAMI TRL E	OPEN	YES	8	16	2.00	2.30	2.60
9	WaWa	12456 TAMIAMI TRL E	OPEN	YES	8	16	2.00	2.30	2.60
10	7-11 Mobile	12750 TAMIAMI TRL E	OPEN	YES	6	12	2.69	3.00	3.30
11	Circle K - Shell	12800 TAMIAMI TRL E	OPEN	YES	4	8	2.69	3.06	3.31
12	Murphy Oil	6630 COLLIER BLVD	OPEN	YES	8	16	1.96	2.26	2.56
					81	162	\$2.29	\$2.64	\$2.90

Map Location 1

RaceTrac
8485 Davis Boulevard
8 Stations – 16 pumps



87 Octane	89 Octane	93 Octane
\$2.16	\$2.46	\$2.76

Attachment: Attachment C - Application and Backup Materials (14692 : 7-Eleven Rattlesnake & Collier (ASW))

Map Location 2

Circle K - Shell

8600 Radio Road

3 Stations – 6 pumps



87 Octane	89 Octane	93 Octane
\$2.16	\$2.53	\$2.80

Attachment: Attachment C - Application and Backup Materials (14692 : 7-Eleven Rattlesnake & Collier (ASW))

Map Location 3

Shell
3835 White Lake Boulevard
6 Stations – 12 pumps



87 Octane	89 Octane	93 Octane
\$2.16	\$2.53	\$2.80

Attachment: Attachment C - Application and Backup Materials (14692 : 7-Eleven Rattlesnake & Collier (ASW))

Map Location 4

Marathon
8901 Davis Boulevard
8 Stations – 16 pumps



87 Octane	89 Octane	93 Octane
\$2.39	\$2.89	\$3.09

Attachment: Attachment C - Application and Backup Materials (14692 : 7-Eleven Rattlesnake & Collier (ASW))

Map Location 5

Shell

3825 Tollgate Boulevard

6 Stations – 12 pumps



87 Octane	89 Octane	93 Octane
\$2.59	\$2.89	\$3.39

Attachment: Attachment C - Application and Backup Materials (14692 : 7-Eleven Rattlesnake & Collier (ASW))

Map Location 6

Mobil
8900 Davis Boulevard
8 Stations – 16 pumps



87 Octane	89 Octane	93 Octane
\$2.40	\$2.90	\$3.00

Attachment: Attachment C - Application and Backup Materials (14692 : 7-Eleven Rattlesnake & Collier (ASW))

Map Location 7

RaceTrac
8483 Collier Boulevard
8 Stations – 16 pumps



87 Octane	89 Octane	93 Octane
\$2.23	\$2.53	\$2.83

Attachment: Attachment C - Application and Backup Materials (14692 : 7-Eleven Rattlesnake & Collier (ASW))

Map Location 8

RaceTrac

11700 Tamiami Trail East

8 Stations – 16 pumps



87 Octane	89 Octane	93 Octane
\$2.00	\$2.30	\$2.60

Attachment: Attachment C - Application and Backup Materials (14692 : 7-Eleven Rattlesnake & Collier (ASW))

Map Location 9

WaWa

12456 Tamiami Trail East

8 Stations – 16 pumps



87 Octane	89 Octane	93 Octane
\$2.00	\$2.30	\$3.60

Attachment: Attachment C - Application and Backup Materials (14692 : 7-Eleven Rattlesnake & Collier (ASW))

Map Location 10

7-11 Mobile

12750 Tamiami Trail East

6 Stations – 12 pumps



87 Octane	89 Octane	93 Octane
\$2.69	\$3.00	\$3.30

Attachment: Attachment C - Application and Backup Materials (14692 : 7-Eleven Rattlesnake & Collier (ASW))

Map Location 11

Circle K - Shell

12800 Tamiami Trail East

4 Stations – 8 pumps



87 Octane	89 Octane	93 Octane
\$2.69	\$3.06	\$3.31

Attachment: Attachment C - Application and Backup Materials (14692 : 7-Eleven Rattlesnake & Collier (ASW))

Map Location 12

Murphy Oil

6630 Collier Boulevard

8 Stations – 16 pumps



87 Octane	89 Octane	93 Octane
\$1.96	\$2.26	\$2.56

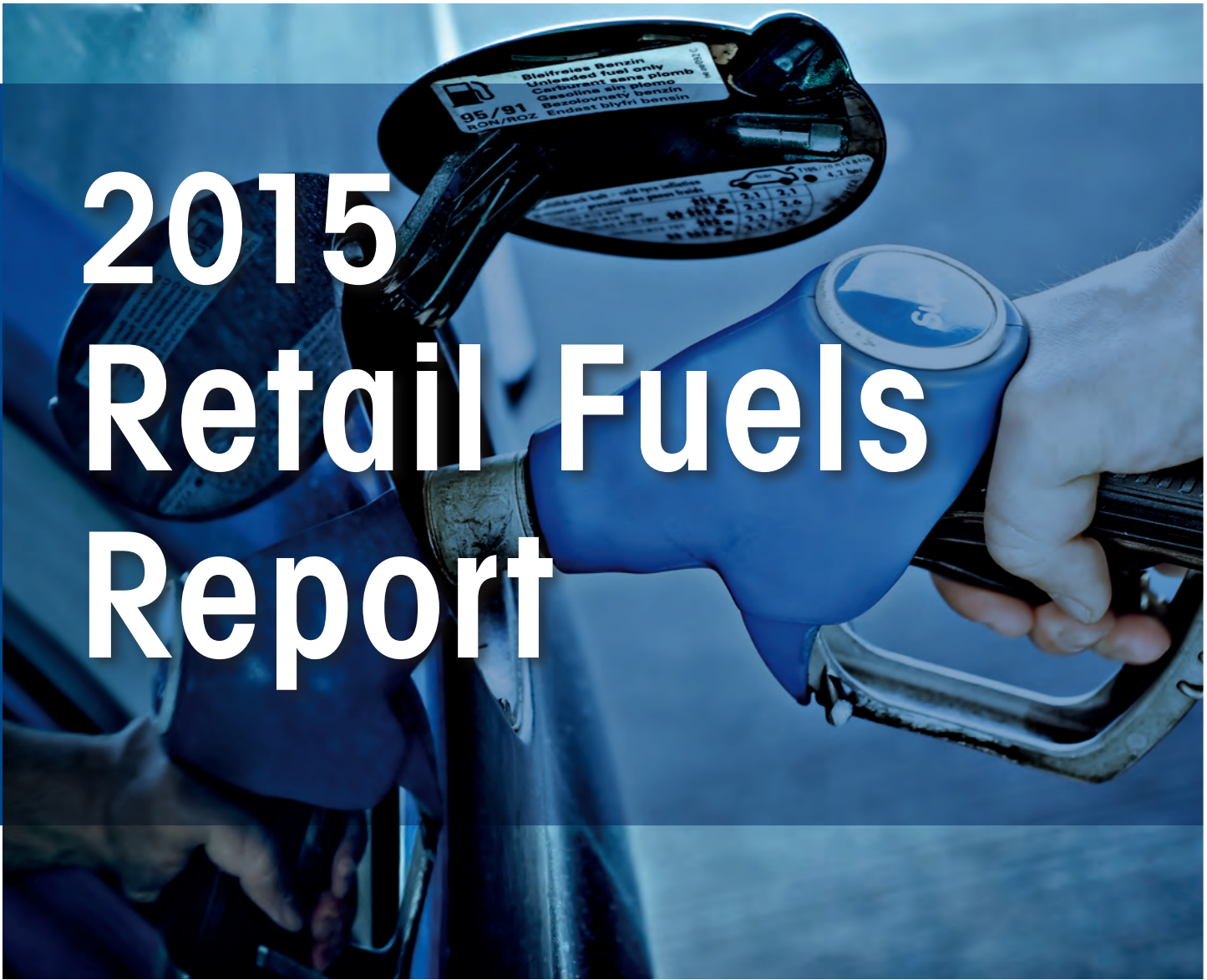
Attachment: Attachment C - Application and Backup Materials (14692 : 7-Eleven Rattlesnake & Collier (ASW))

APPENDIX D

Attachment: Attachment C - Application and Backup Materials (14692 : 7-Eleven Rattlesnake & Collier (ASW))



NACS[®]



2015 Retail Fuels Report

Attachment: Attachment C - Application and Backup Materials (14692 : 7-Eleven Rattlesnake & Collier (ASW))

Major Oil Keeps Its Brand Presence

While the major oil companies are withdrawing from retail operations, their brands remain. In fact, roughly half of retail outlets sell fuel under the brand of one of the 15 largest refiner-suppliers. Virtually all of these branded locations are operated by independent entrepreneurs who have signed a supply contract with a particular refiner/distributor to sell a specific brand of fuel, but these retailers do not share in the profit/loss of their suppliers.

The remaining 50% sold “unbranded” fuel. These stations often are owned by companies that have established their own fuel brand (i.e., QuikTrip, Wawa, 7-Eleven) and purchase fuels either on the open market or via unbranded contracts with a refiner/distributor.

Other Retail Channels Sell Fuels

Convenience stores sell more than 80% of the fuels purchased in the United States, and their dominance continues to grow. Over the past decade, the number of convenience stores selling fuels has grown by 15% (from 110,895 to 127,588 stores). Meanwhile, the overall number of fueling locations has dropped.

There were 152,995 total retail fueling sites in the United States in 2013, the last year measured by the now-defunct *National Petroleum News*’ Market-Facts. This was a steep and steady decline since 1994, when the station count topped 202,800 sites.

Another channel also has seen growth over the past decade: big-box grocery stores and mass merchandising stores, otherwise known as “hypermarkets.” As of May 2014, the 5,236 hypermarket retail fueling sites sold an estimated 13.8% of the motor fuels (gasoline) purchased in the United States, according to Energy Analysts International. **These sites sell approximately 278,000 gallons per month, more than twice the volume of a traditional fuels retailer.**

The top five hypermarkets selling fuel, by store count:

- Kroger (1,220)
- Walmart (999 stations, mainly Murphy USA with small mix of others; up to 200 new Murphy USA sites are due by end of 2015 per agreement)
- Sam’s Club (505)
- Costco (381)
- Safeway (346)

(Source: Energy Analysts International)

The remainder of fuels sales in the United States comes from traditional service stations without convenience operations and very low-volume fueling sites, such as at marinas.

APPENDIX E



Convenience Stores Keep Drivers Fueled

For the foreseeable future, gasoline will be the fuel of choice for U.S. drivers.



There are **222 MILLION DRIVERS** in the United States,



and there are **122,000 CONVENIENCE STORES**



that sell **80%** of the gasoline sold in the country to keep U.S. drivers fueled up and on their way.

Snapshot of the average U.S. driver:



33 Miles

The average driver travels about **33 miles per day**



86%

Most Americans get to work each day by driving or carpooling



52 Minutes

The average driver commutes **26 minutes each way** to/from work



530 Gallons

Americans consume about **530 gallons of gas** per year



59%

of gas customers say that price is the main consideration for where they fuel up



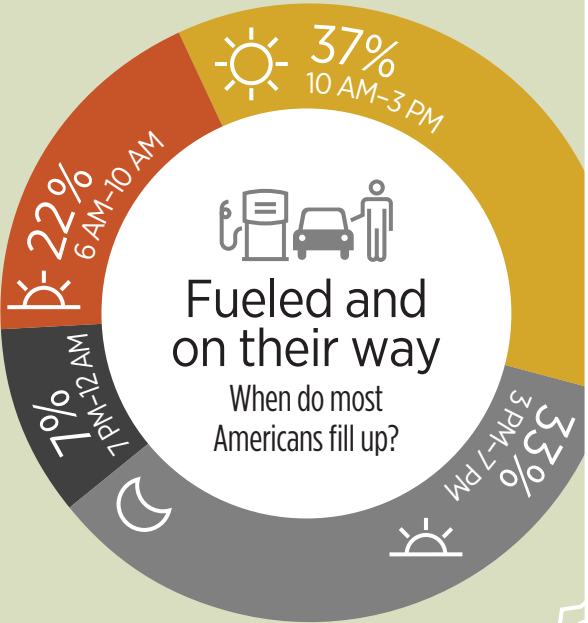
75%

of gas customers pay with a credit or debit card



44%

also go inside the convenience store to buy food and beverages, or use the ATM or restroom



(Sources: NACS Fuels Resource Center; U.S. Energy Information Administration; U.S. Census Bureau)

APPENDIX F



2726 OAK RIDGE COURT, SUITE 503
FORT MYERS, FL 33901-9356
OFFICE 239.278.3090
FAX 239.278.1906

TRAFFIC ENGINEERING
TRANSPORTATION PLANNING
SIGNAL SYSTEMS/DESIGN

TRAFFIC IMPACT STATEMENT

FOR

GAS/CONVENIENCE STORE @ RATTLESNAKE HAMMOCK & COLLIER COLLIER COUNTY, FLORIDA

**(MAJOR STUDY REVIEW - \$1,500)
(METHODOLOGY REVIEW FEE - \$500)**

PROJECT NO. F2003.08

**PREPARED BY:
TR Transportation Consultants, Inc.
Certificate of Authorization Number: 27003
2726 Oak Ridge Court, Suite 503
Fort Myers, Florida 33901-9356
(239) 278-3090**

March 13, 2020

Attachment: Attachment C - Application and Backup Materials (14692 : 7-Eleven Rattlesnake & Collier (ASW))

Table 3
Pass-by Trip Reduction Factors
Gas/Convenience Store @ Rattlesnake Hammock & Collier

Land Use	Percentage Trip Reduction
Gasoline/Service Station With Convenience Market	50% AM/ PM

Table 4
Trip Generation – New Trips
Gas/Convenience Store @ Rattlesnake Hammock & Collier

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily (2-way)
	In	Out	Total	In	Out	Total	
Super Convenience Market/Gas Station (4,633 Sq. Ft. C-Store & 16 Re-Fueling Positions)	200	200	400	171	171	342	3,881
Less 50% Pass-By	-100	-100	-200	-85	-85	-170	-1,941
New Trips	100	100	200	86	86	172	1,940

The trips the proposed development is anticipated to generate as shown in Table 4 were then assigned to the surrounding roadway network. The new trips anticipated to be added to the surrounding roadway network were assigned based upon the routes drivers are anticipated to utilize to approach the subject site. Figure A-1, included in the Appendix of this report, illustrates the percent project traffic distribution and assignment of the net new project trips. Figure A-2, included in the Appendix of this report, illustrates the percent project traffic distribution and assignment of pass-by trips. **Figure 2** illustrates the resulting assignment of all project related trips (net new + pass-by).

V. PROJECTED CONCURRENCY

In order to determine which roadway segments surrounding the site will be significantly impacted, **Table 1A**, contained in the Appendix, was created. This table indicates which roadway links will accommodate an amount of project traffic greater than the 2%-2%-3% Significance Test. The net new trips generated as a result of the proposed rezoning

APPENDIX G

INDUSTRY NEWS MERGERS & ACQUISITIONS FUELS DATA SPONSORED CONTENT EVENTS

Beverages Foodservice General Merchandise Services Snacks & Candy Tobacco



MERCHANDISING MADE EASY
Torches & fuel all in one place.

CLICK HERE for
WHOLESALE PRICING



Print > CSP Magazine
July 2013

Fueling Sales Inside and Out

An exclusive peek at latest VideoMining heat-map study reveals challenge of pump-to-store conversion, opportunity of layout.

By Samantha Oller, Senior Editor/Fuels, CSP

More than 25 years ago, pay at the pump debuted in the United States, introducing great convenience to motorists and a big conundrum to retailers. If you enable customers to pay for fuel at the pump, how do you persuade them to come inside the store to buy higher-margin items?

If recent research from VideoMiningCorp. is any indication, it's a challenge that fuel retailers have still not mastered.

"Sixty-nine percent of gas customers are just paying for gas and leaving, regardless of whether they are paying at the pump or prepaying [inside the store]," says Priya Baboo, executive vice president of shopper insights & strategy for Video-Mining Corp., State College, Pa., which produces the annual C-Store Shopper Insights (CSI) Program, a research effort that documents the c-store shopping trip. This fourth iteration of the study, conducted in late summer 2012 and shared exclusively with CSP, included 10 chains representing 144 stores in 20 markets.

Consider that for every 100 gasoline customers, 64 pay at the pump, and of the 64 pay only for gas and leave, according to Video Mining. Let's put aside this latter group—"It is much harder to convince someone who is just thinking of pumping gas to walk into the store, because they may be in a hurry," Baboo says—and focus solely on the opportunity presented by the others.

The 36 fuel customers who walk into the store to pay are truly "low-hanging fruit," she insists, "because in the store you have a better opportunity of converting them. But unfortunately, we're not leveraging that opportunity." How poor is that leverage? Less than a third of these customers will ultimately make an in-store purchase.

Video Mining evaluates this type of c-store shopper behavior through a combination of technologies. Ceiling-mounted cameras track customers' movements through the c-store, while proprietary video-analysis software processes millions of hours of shopping trips. This data is cross-referenced with point-of-sale data to correlate store traffic with purchasing behavior and generate insights on everything from the basics (average time spent in store, average in-store basket) to the rates at which customers shopped particular categories and made a purchase.



Today's To

More New Engla
Petroleum Mark



Attachment: Attachment C - Application and Backup Materials (14692 : 7-Eleven Rattlesnake & Collier (ASW))

SIGN POST AFFIDAVIT & SIGN PHOTOS

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.

AFFIDAVIT OF POSTING NOTICE

STATE OF FLORIDA
COUNTY OF COLLIER

BEFORE THE UNDERSIGNED AUTHORITY, PERSONALLY APPEARED Alexis Crespo
WHO ON OATH SAYS THAT HE/SHE HAS POSTED PROPER NOTICE AS REQUIRED BY SECTION 10.03.00 OF THE
COLLIER COUNTY LAND DEVELOPMENT CODE ON THE PARCEL COVERED IN PETITION NUMBER
PL2019-2183:

[Signature]
SIGNATURE OF APPLICANT OR AGENT

28100 Bonita Grande C
STREET OR P.O. BOX

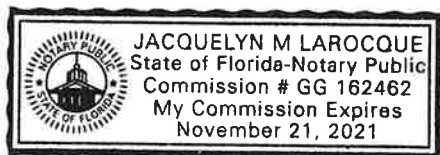
Alexis Crespo
NAME (TYPED OR PRINTED)

Bonita Springs, FL 3413
CITY, STATE ZIP

#

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was sworn to and subscribed before me this 22nd day of February, 2021, by
Alexis Crespo, personally known to me or who produced _____ as identification
and who did/did not take an oath.



[Signature]
Signature of Notary Public
Jacquelyn Larocque
Printed Name of Notary Public

My Commission Expires:
(Stamp with serial number)

Rev. 3/4/2015

SIGN POST PHOTOS
PL201900002183



Attachment: Attachment C - Application and Backup Materials (14692 : 7-Eleven Rattlesnake & Collier (ASW))

SIGN POST PHOTOS
PL201900002183



Attachment: Attachment C - Application and Backup Materials (14692 : 7-Eleven Rattlesnake & Collier (ASW))

HYBRID MEETING WAIVER FORM



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): PL201900002183

Regarding the above subject petition number(s), David Torres, Manager (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: David Torres, Manager
Hammock Park Apartments, LLC

Date: 2/17/21

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 C - Application and Backup Materials (14692 : 7-Eleven Rattlesnake & Collier (ASW))



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): PL201900002183

Regarding the above subject petition number(s), David Torres, Manager (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: David Torres, Manager
Hammock Park Apartments, LLC

Date: 2/17/21

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 D - Hybrid Hearing Waiver (14692 : 7-Eleven Rattlesnake & Collier (ASW))

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.

AFFIDAVIT OF POSTING NOTICE

STATE OF FLORIDA
COUNTY OF COLLIER

BEFORE THE UNDERSIGNED AUTHORITY, PERSONALLY APPEARED Alexis Crespo
WHO ON OATH SAYS THAT HE/SHE HAS POSTED PROPER NOTICE AS REQUIRED BY SECTION 10.03.00 OF THE
COLLIER COUNTY LAND DEVELOPMENT CODE ON THE PARCEL COVERED IN PETITION NUMBER
PL2019-2183:

[Signature]
SIGNATURE OF APPLICANT OR AGENT

28100 Bonita Grande C
STREET OR P.O. BOX

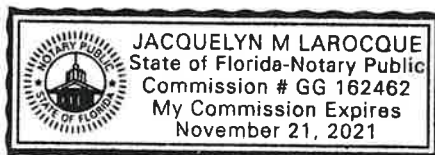
Alexis Crespo
NAME (TYPED OR PRINTED)

Bonita Springs, FL 3413
CITY, STATE ZIP

#

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was sworn to and subscribed before me this 22nd day of February, 2021, by
Alexis Crespo, personally known to me or who produced _____ as identification
and who did/did not take an oath.



[Signature]
Signature of Notary Public
Jacquelyn Larocque
Printed Name of Notary Public

My Commission Expires:
(Stamp with serial number)

Rev. 3/4/2015

SIGN POST PHOTOS
PL201900002183



Attachment: Attachment E - Property Hearing Signs (14692 : 7-Eleven Rattlesnake & Collier (ASW))

SIGN POST PHOTOS
PL201900002183



Attachment: Attachment E - Property Hearing Signs (14692 : 7-Eleven Rattlesnake & Collier (ASW))

03/11/2021

COLLIER COUNTY
Collier County Hearing Examiner

Item Number: 3.B

Item Summary: PETITION NO. PL20200002057 VA-Request for a variance from Section 4.02.03.D of the Land Development Code to reduce the required accessory structure side setback from 30 feet to 12.5 feet for a tennis court on Lot 5, Block G, Subdivision of Blocks E, F, G and H in Pine Ridge Subdivision, also known as 132 North Street, in Section 10, Township 49 South, Range 25 East, Collier County, Florida. [Coordinator: John Kelly, Senior Planner] Commissioner District 2

Meeting Date: 03/11/2021

Prepared by:

Title: Planner – Zoning

Name: John Kelly

02/19/2021 5:29 PM

Submitted by:

Title: Manager - Planning – Zoning

Name: Ray Bellows

02/19/2021 5:29 PM

Approved By:

Review:

Growth Management Operations & Regulatory Management	Kenneth Kovensky	Review Item	Completed
Hearing Examiner (GMD Approvers)	Diane Lynch	Review Item	Completed 02/25/2021 12:05 PM
Zoning	Ray Bellows	Review Item	Completed 02/25/2021 4:47 PM
Zoning	Anita Jenkins	Review Item	Completed 02/26/2021 9:41 AM
Hearing Examiner	Andrew Dickman	Meeting Pending	03/11/2021 9:00 AM



STAFF REPORT

TO: COLLIER COUNTY HEARING EXAMINER

FROM: GROWTH MANAGEMENT DEPARTMENT
ZONING DIVISION- ZONING SERVICES SECTION

HEARING DATE: MARCH 11, 2021

SUBJECT: PETITION VA-PL20200002057; 132 NORTH STREET - VARIANCE

PROPERTY OWNER/APPLICANT:

Owner:

Myles Samotin
132 North Street
Naples, FL 34108

Agent:

Blair Foley, PE
120 Edgemere Way South
Naples, FL 34105

REQUESTED ACTION:

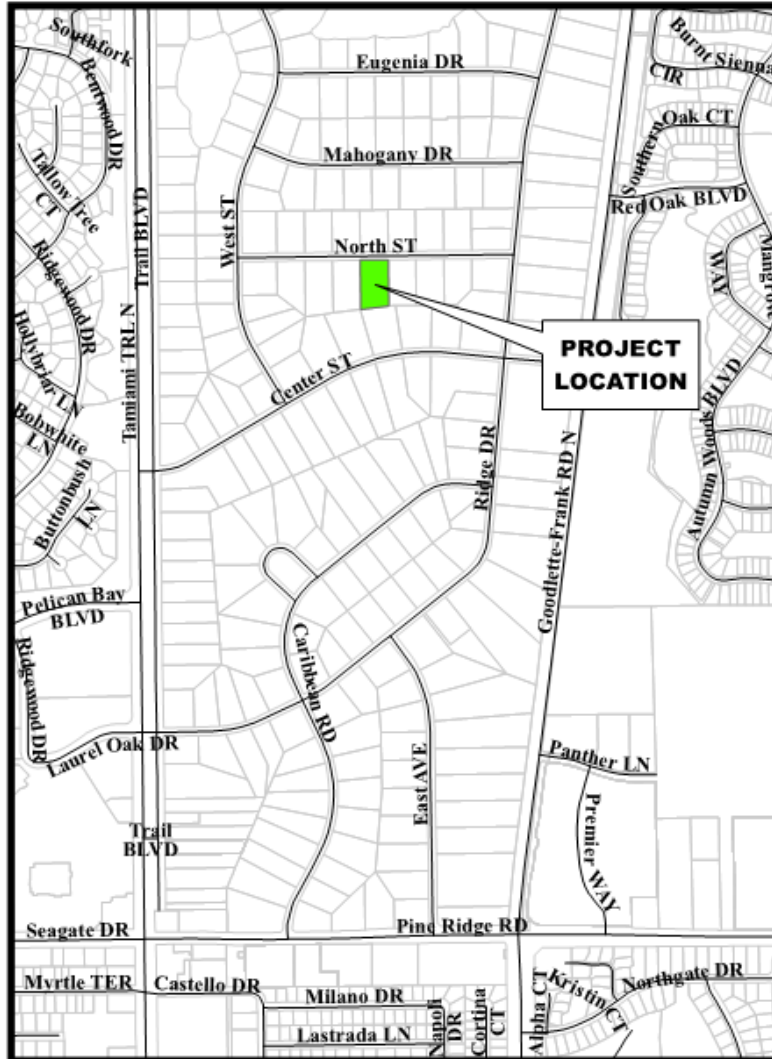
To have the Collier County Hearing Examiner (HEX) consider an application for variance from Section 4.02.03.D of the Land Development Code (LDC) to reduce the required accessory structure side yard setback from 30 feet to 12.5 feet for to allow for a tennis court at this location.

GEOGRAPHIC LOCATION:

The subject property is located at 132 North Street and is legally recognized as Lot 5, Block G, Subdivision of Blocks E, F, G and H, Pine Ridge Subdivision, in Section 10, Township 49 South, Range 25 East, Collier County, Florida, consisting of 1.56± acres (*See location map on page 2*).

PURPOSE/DESCRIPTION OF PROJECT:

The subject improved property was purchased by the current owner on December 5, 2005. Existing improvements include a single-family residence that was constructed between 2000 and 2001 in accord with Building Permit No. 2000082038. Said owner now desires to install a tennis court on the property for which placement is constrained by limited area to the east and by a large pond that spans multiple properties to the south; the only feasible area being within the west side yard. No fencing has been proposed for the tennis court, therefore the outermost court fair-play line is the point to use for determination of setbacks. As proposed, see Attachment A, the tennis court will be setback 12.5 feet from the west side property line resulting in an encroachment of 17.5 feet into the otherwise required 30-foot side yard for listed accessory structures.



Location Map



Zoning Map

Petition Number: PL20200002057

SURROUNDING LAND USE AND ZONING:

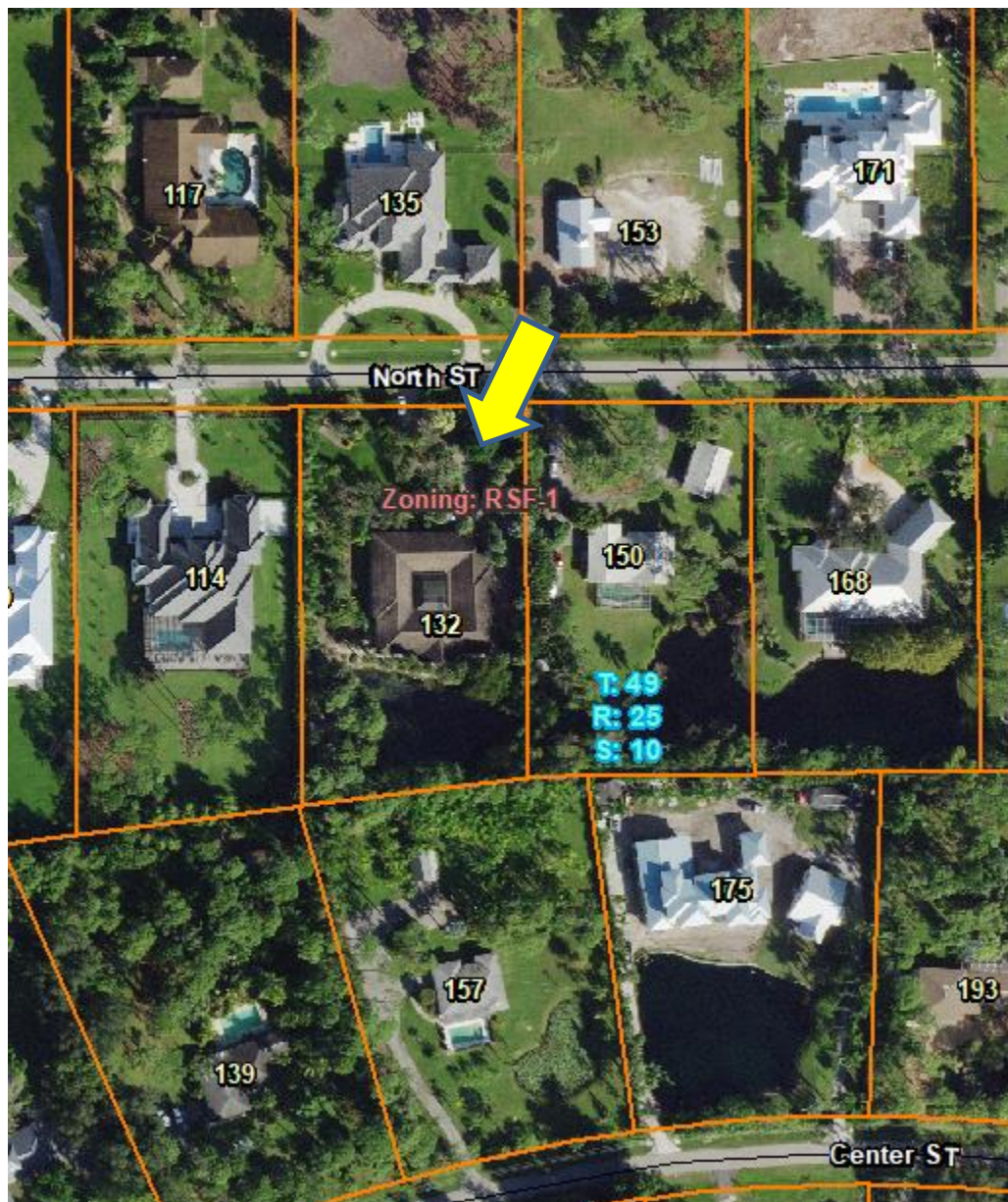
This section of the staff report identifies the land uses and zoning classifications for properties surrounding boundaries of the subject property:

North: North Street (Right-of-Way) then Single-family dwelling within an RSF-1 district

South: Single-family dwelling within an RSF-1 zoning district

East: Single-family dwelling within an RSF-1 zoning district

West: Single-family dwelling within an RSF-1 zoning district



Collier County GIS

Attachment: VA-PL20200002057 Staff Report 021921 (15118 : PL20200002057 VA 132 North Street Samotin)

GROWTH MANAGEMENT PLAN (GMP) CONSISTENCY:

The subject property is in the Urban, Mixed Use District, Urban Residential Subdistrict, 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 DIVISION ANALYSIS:

The decision to grant a variance is based on the criteria in LDC Section 9.04.03. 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 location, size and characteristics of the land, structure or building involved?**

Yes, there is a large pond to the rear of the subject property. Said pond comprises approximately one-third of the subject property and spans across several other properties. The applicant's agent states that the pond pre-dates construction of the existing residence and that the applicant has not altered the site.

- 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 large pond to the rear of the residence restricts placement of the desired tennis court to the western side yard.

- 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, the applicant's agent states that a tennis court is a typical amenity within the Pine Ridge community which improves property values and is consistent with a healthy lifestyle as promoted by Collier County. A literal interpretation of the zoning code will not allow for the placement of the tennis court. Staff agrees.

- 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, locating the tennis court in the west side yard minimizes the setback reduction.

- 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?**

The applicant's agent states that RSF-1 lots typically have more buildable space than this

particular lot due to the location of the pond. Locating a feature, such as a tennis court, would be feasible on properties within the RSF-1 zoning district and is not a special privilege. Within the Pine Ridge Community tennis courts are a common improvement and many have been constructed within the 30-foot side yard setback. Therefore, granting the requested variance does not confer any special privilege on the petitioner.

Staff does not disagree with the applicant; however, believes that a Variance, by definition, bestows some dimensional relief from the zoning regulations specific to a site. LDC Section 9.04.02 allows relief through a Variance process for any dimensional development standard. Other properties facing a similar hardship are 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 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.?

Yes, the large pond to the rear of the property that hinders placement of the tennis court also serves as a natural buffer as does the vegetation surrounding the pond. It is believed by the applicant that disturbing the pond which spans several properties would be more obtrusive than the requested Variance. Staff agrees.

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.

The petitioner has provided the County with six statements from neighboring property owners' indicating no objection to the subject variance request, including the adjoining properties to the west and south which would be the most impacted; See Attachment C.

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 recommends that the Collier County Hearing Examiner approve Petition VA-PL20200002057, to reduce the western side yard accessory structure setback from 30 feet to 12.5 feet for a one-family tennis court to be located within said side yard subject to the following conditions:

1. Approval of this Variance will be in accordance with Attachment “A” with setbacks not to exceed those shown.
2. Any fence or wall for the subject tennis court must comply with Section 5.03.02 of the Land Development Code.
3. If the approved tennis court utilizes lighting, such lighting will be directed only onto the petitioners’ property and will be shielded to prevent glare onto neighboring properties.

Attachments:

Attachment A: Plans

Attachment B: Survey

Attachment C: Applicant’s Backup; Application and supporting documents

Variance Request for Tennis Court Side Yard Setback

FOR

132 North St.- Pine Ridge Estates

INDEX OF PLANS

SHEET NO.	DESCRIPTION
1	COVER SHEET
2	AERIAL PHOTO WITH CONCEPTUAL PLAN
3	SITE PLAN

PROJECT DATA

PROJECT NAME:	132 NORTH ST.
COUNTY PL NO.:	
ZONING:	RSF-1
FOLIO:	67231360002
LOCATION:	COLLIER COUNTY, FL S10 T49 R25

BUILDING DATA

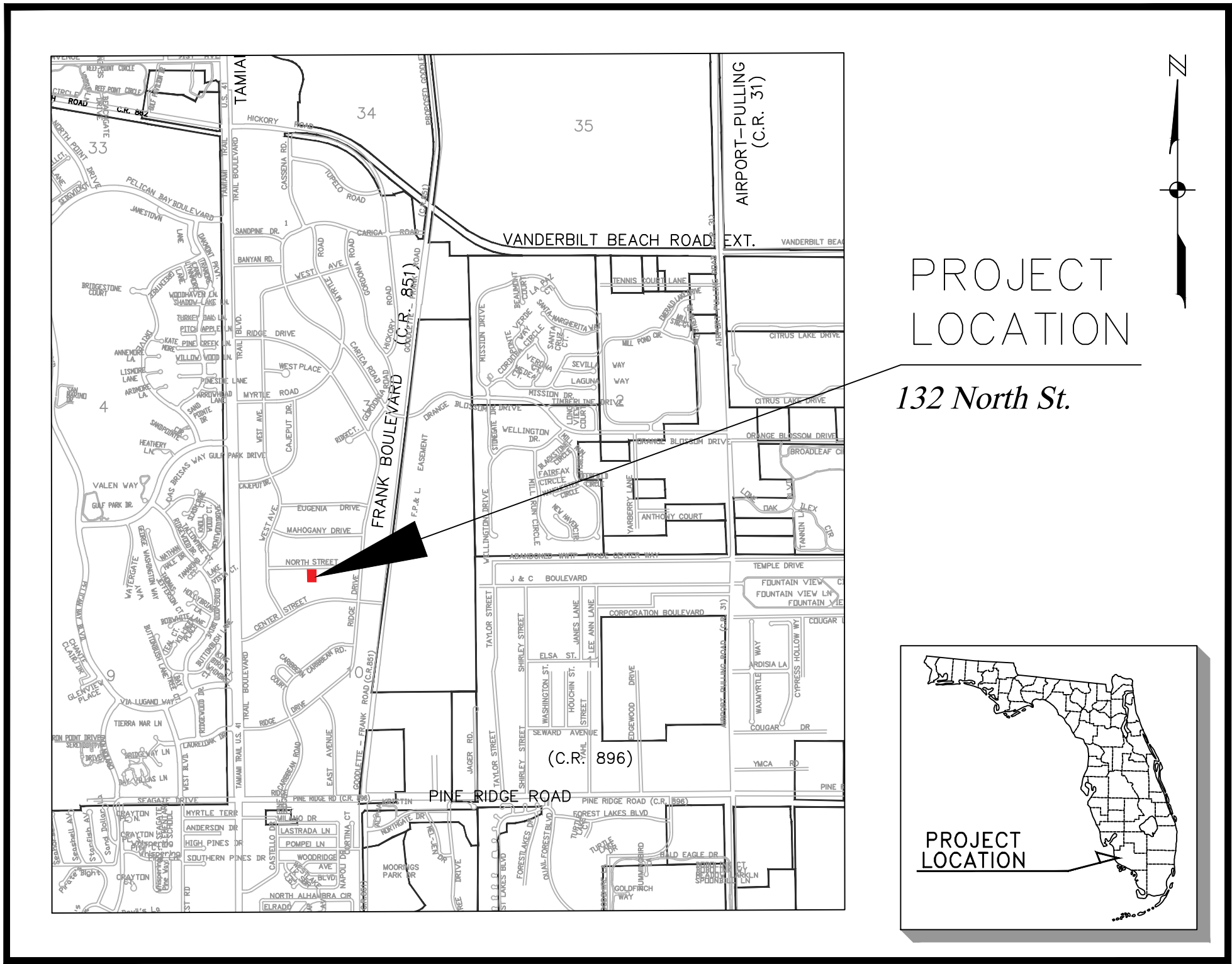
BUILDING CODE REFERENCES:
N/A
BUILDING CODE DATA:
N/A

Prepared for Owner:

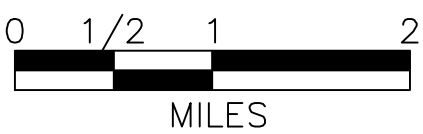
Myles Samotin
132 North St.
Naples, FL

LEGAL DESCRIPTION

LOT 5, BLOCK G, SUBDIVISION OF BLOCKS E, F, G AND H, PINE RIDGE SUBDIVISION, IN ACCORDANCE WITH AND SUBJECT TO THE PLAT RECORDED IN PLAT BOOK 4, PAGE 29, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA



LOCATION MAP



October 2020

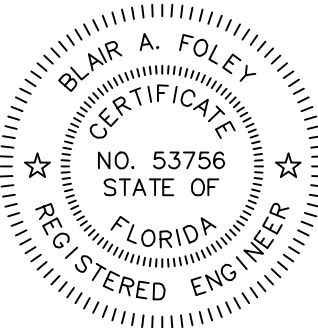
Blair A. Foley, P.E., LLC
Civil Engineer / Development Consultant
120 Edgemere Way South - Naples, FL 34105
Phone (239) 263-1222 - Cell (239) 289-4900 - Fax (239) 263-0472 - E-mail fols000@aol.com

Blair A
Foley

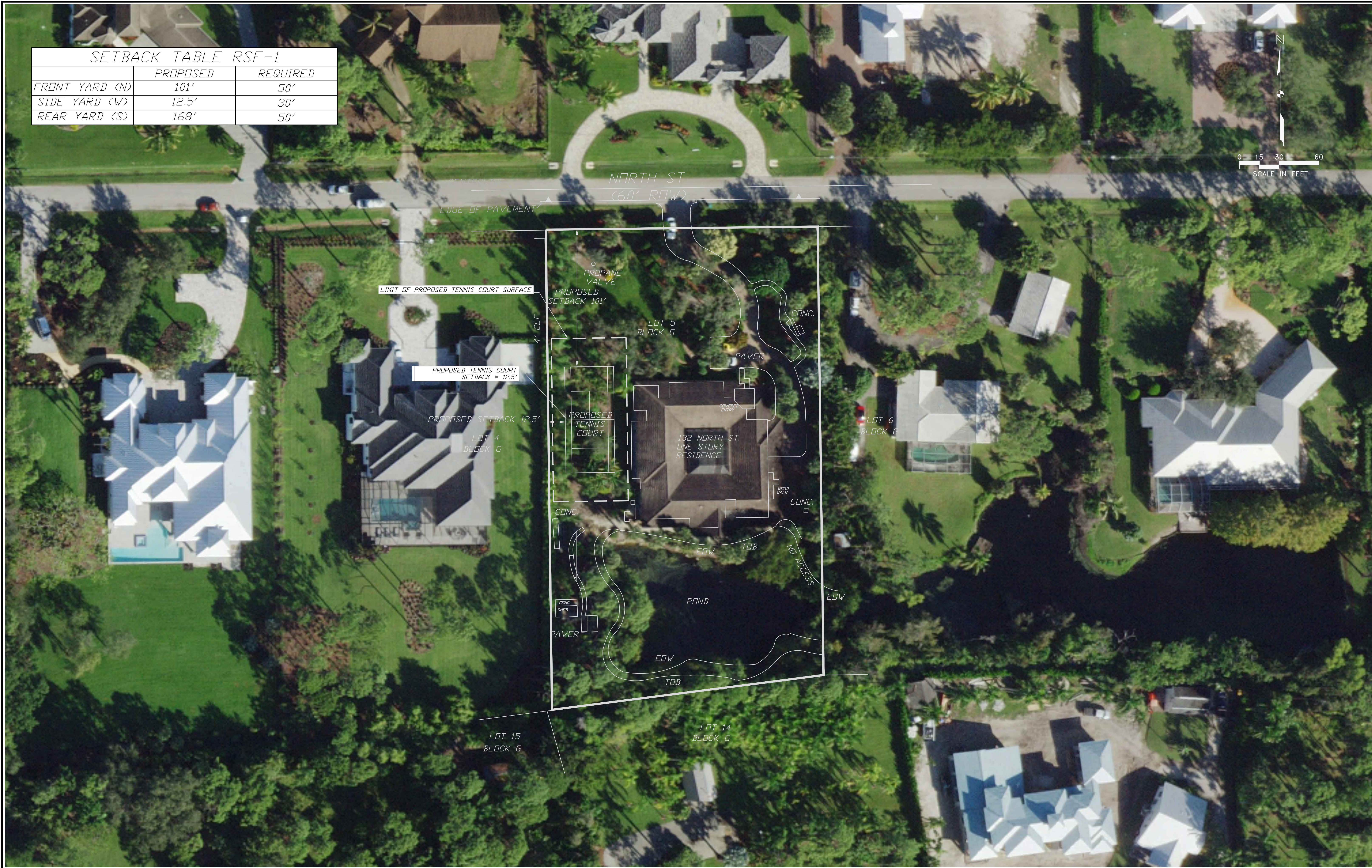
Digitally signed by
Blair A Foley
Date: 2020.10.29
08:12:59 -04'00'

Certificate Of Authorization No. 9469
Florida Registered Professional Engineer No. 53756

Name _____ Date _____



132 North St
(VA)



SETBACK TABLE RSF-1		
	PROPOSED	REQUIRED
FRONT YARD (N)	101'	50'
SIDE YARD (W)	12.5'	30'
REAR YARD (S)	168'	50'

DESIGN	BAF	5				
DRAWN	AOM	4				
CHECKED	BAF	3				
		2				
		1				
Q.C.			NO.	DATE	REVISION	APPD BY

NOT VALID FOR CONSTRUCTION
UNLESS SIGNED IN THIS BLOCK



Blair A. Foley, P.E., LLC
Civil Engineer / Development Consultant

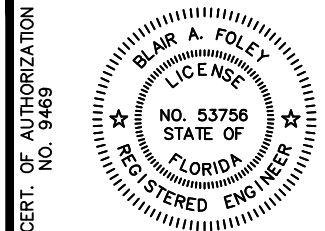
120 Edgemere Way South - Naples, FL 34105
Phone (239) 263-1222 Cell (239) 289-4900 Fax (239) 263-0472 E-mail fols000@aol.com



CLIENT: Myles Samotin

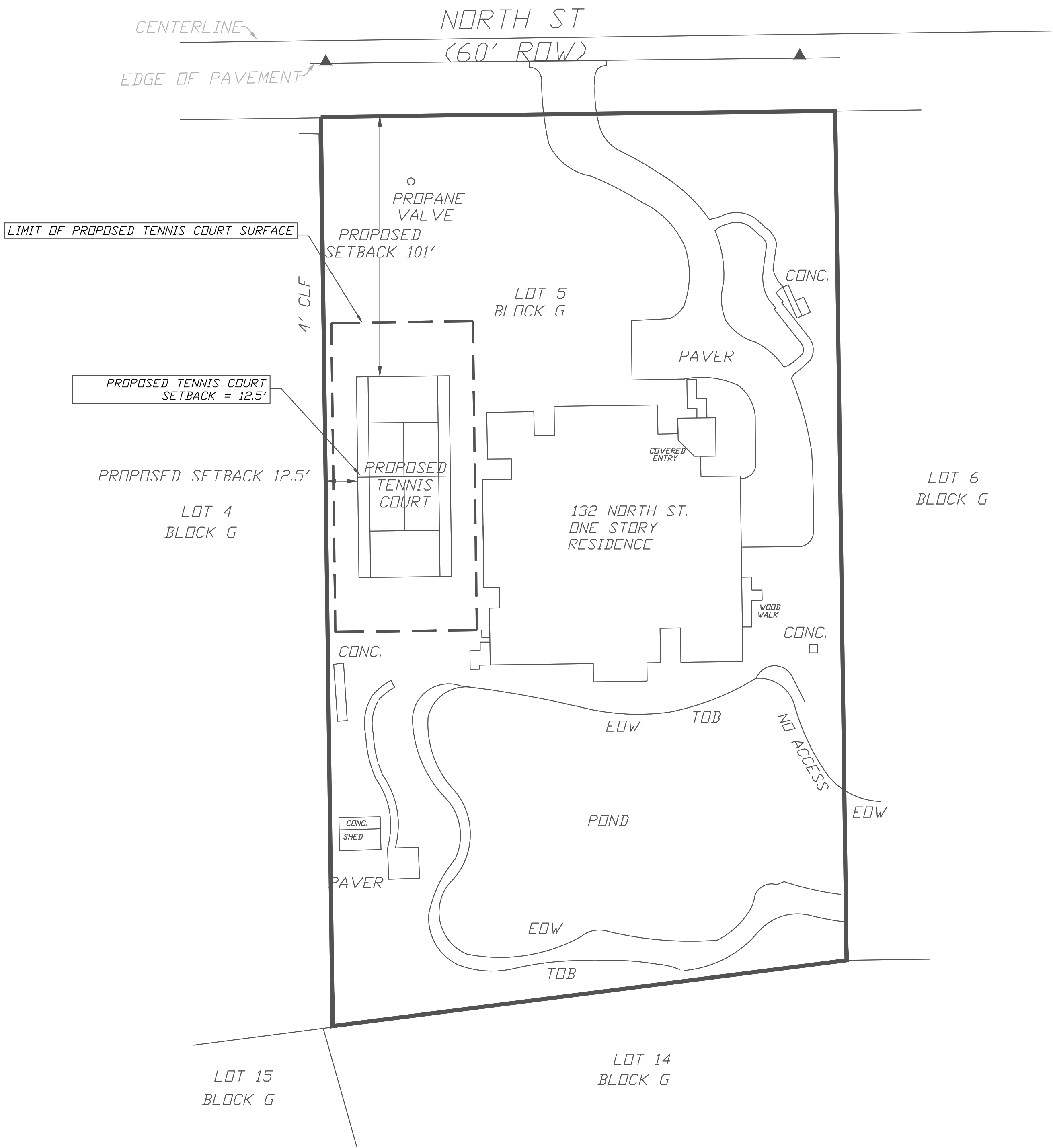
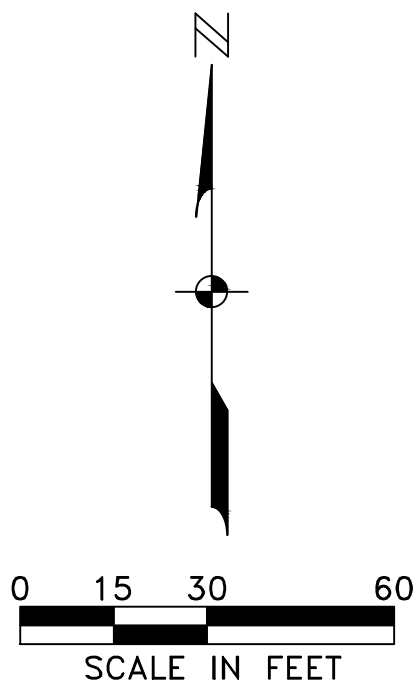
132 North St.
Collier County, Florida

Aerial Photo with Concept Plan



PROJ NO.	00.000
SCALE	1" = 30'
DATE	9/11/20
SHT	2 OF 3

SETBACK TABLE RSF-1		
	PROPOSED	REQUIRED
FRONT YARD (N)	101'	50'
SIDE YARD (W)	12.5'	30'
REAR YARD (S)	168'	50'



DESIGN	BAF	5			
DRAWN	AOM	4			
CHECKED	BAF	3			
		2			
		1			
Q.C.		NO.	DATE	REVISION	APPD BY

NOT VALID FOR CONSTRUCTION
UNLESS SIGNED IN THIS BLOCK



Blair A. Foley, P.E., LLC
Civil Engineer / Development Consultant

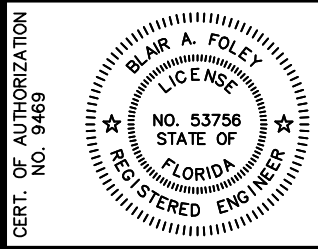
120 Edgemere Way South - Naples, FL 34105
Phone (239) 263-1222 Cell (239) 289-4900 Fax (239) 263-0472 E-mail fols000@aol.com



CLIENT: Myles Samotin

132 North St.
Collier County, Florida

Site Plan

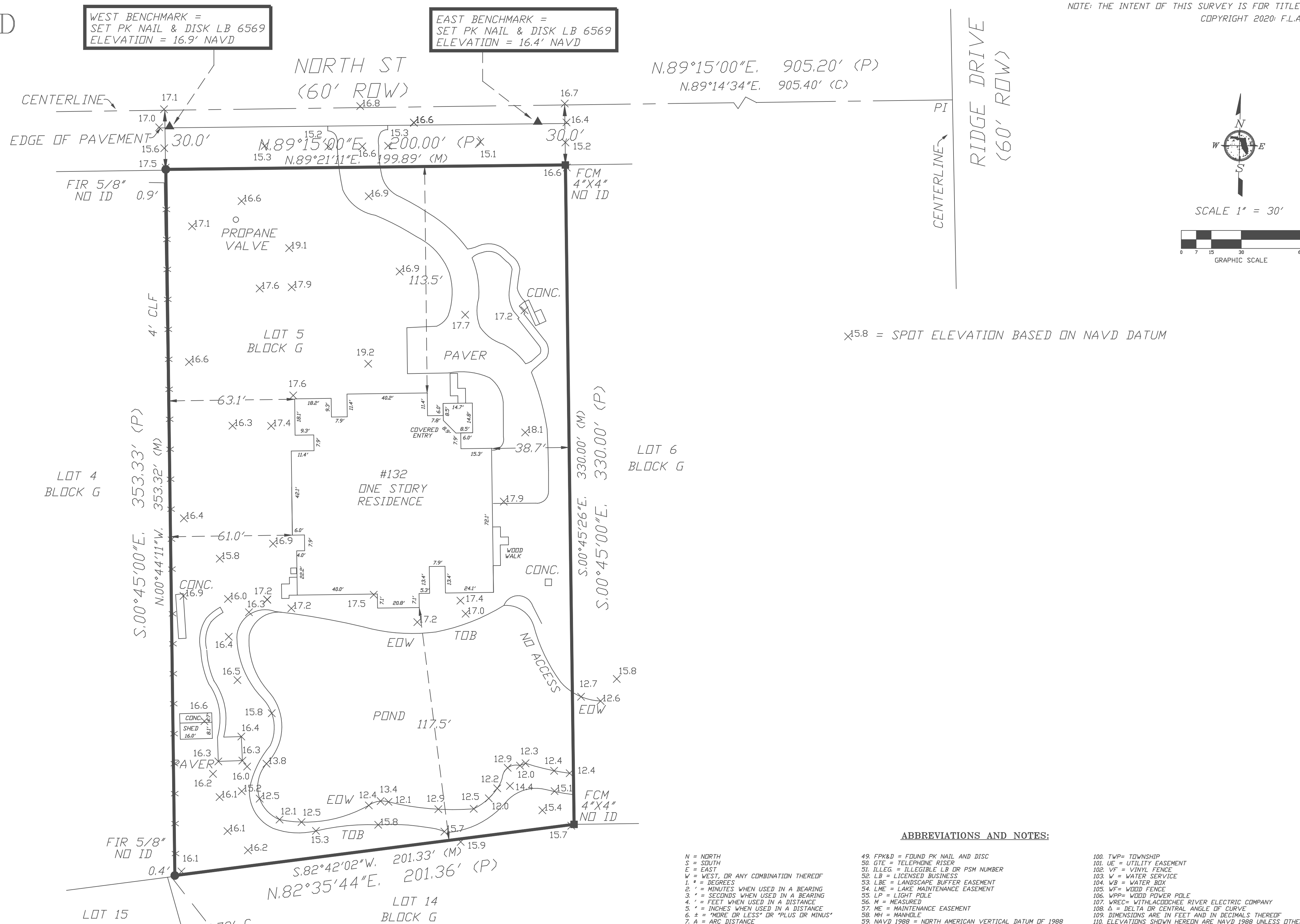


PROJ NO.	00.000
SCALE	1" = 30'
DATE	9/11/20
SHT	3 OF 3

NOT FOR FENCE CONSTRUCTION
NOT FOR CONSTRUCTION
NOT FOR DESIGN

STREET ADDRESS:
132 NORTH ST
NAPLES FLORIDA

THE LINES ON THIS SKETCH DO NOT CONSTITUTE OWNERSHIP.
NOTE: THE INTENT OF THIS SURVEY IS FOR TITLE TRANSFER ONLY.
COPYRIGHT 2020, F.L.A. SURVEYS CORP.



LOT 5, BLOCK G, SUBDIVISION OF BLOCKS E,
F, G AND H, PINE RIDGE SUBDIVISION, IN
ACCORDANCE WITH AND SUBJECT TO THE
PLAT RECORDED IN PLAT BOOK 4, PAGE 29,
OF THE PUBLIC RECORDS OF COLLIER
COUNTY, FLORIDA

QUALITY CONTROL

BY : MEF DATE : 05/20/2020

CERTIFICATION :

I HEREBY CERTIFY THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS & MAPPERS CHAPTER 5J17.05-052, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

BY : Teland / D. Sand SURVEY DATE : 05/18/2020

CLINTON W. FINSTAD, PE, CFM, PLS #2453 LELAND F. DySARD, PLS #3859
MARY E. FINSTAD, CFM, PSM #5901 RONALD W. WALLING, PSM #6473

NOT VALID WITHOUT SURVEYOR'S SIGNATURE AND EMBOSSED SEAL
NOT A CERTIFICATION OF TITLE, ZONING, EASEMENTS OR FREEDOM OF ENCUMBRANCES.

DATE	BY	REVISION	F.L.A. SURVEYS CORP. PROFESSIONAL LAND SURVEYORS AND MAPPERS LB-6569 9220 BONITA BEACH ROAD, SUITE 200 BONITA SPRINGS, FLORIDA 34135 239-404-7129 239-272-2398 239-250-2792 239-625-8504	CERTIFIED TO	PROJECT	TITLE	SHEET 1 W.O. NO. 20-85611	OF 1 DRN. BY SVJ PAR. CHF. MIKE/RLF
			3884 PROGRESS AVE., SUITE 104 NAPLES, FLORIDA 34104 239-403-1800 FAX 239-403-8600	SAMANTHA ARDENFRIEND-SAMOTIN	132 NORTH ST NAPLES, FLORIDA	BOUNDARY AND PARTIAL TOPOGRAPHIC SURVEY		

ABBREVIATIONS AND NOTES:

- 0 = NORTH
 1 = SOUTH
 2 = EAST
 3 = WEST, OR ANY COMBINATION THEREOF
 4 = FEET
 5 = MINUTES WHEN USED IN A BEARING
 6 = SECONDS WHEN USED IN A BEARING
 7 = FEET AND INCHES WHEN USED IN A DISTANCE
 8 = INCHES WHEN USED IN A DISTANCE
 9 = FEET AND INCHES WHEN USED IN A DISTANCE
 A = ARC DISTANCE
 B = ARC DISTANCE
 C = ACRES
 D = DRAIN OR CONDITIONING PAD
 10 AE = ACCESS EASEMENT
 11 BE = BENEFIT EASEMENT
 12 BM = BENCHMARK
 13 BOB = BASIS OF BEARING
 14 BR = BEARING BEARING
 15 CB = CURVE NUMBER
 16 CHD = CHORD
 17 CB = CATCH BASIN
 18 CHB = CHORD BEARING
 19 CHD = CHORD
 20 CLF = CHAINLINK FENCE
 21 CM = CONCRETE MONUMENT
 22 CO = CLEAN OUT
 23 CON = CONCRETE
 24 CONP = CONCRETE PAD
 25 CSW = CONCRETE SIDEWALK
 26 CTV = CABLE TV RISER
 27 CUE = COLLIER COUNTY UTILITY EASEMENT
 28 D = DEER
 29 DE = DEED
 30 DEE = DEED EASEMENT
 31 DI = DRILL HOLE
 32 DRIP INLET
 33 ELEC = ELECTRIC
 34 EOP = EDGE OF PAVEMENT
 35 EOR = EDGE OF ROAD
 36 EDW = EDGE OF WATER
 37 EFD = EDGE OF FLOOD IN THE FIELD
 38 F.A.C. = FLORIDA ADMINISTRATIVE CODE
 39 F.C. = FLOOD CROSS CUT
 40 FCM = FLOOD CONTROL MONUMENT
 41 FEMA = FEDERAL EMERGENCY MANAGEMENT AGENCY
 42 FE = FINISH FLOOR
 43 FFE = FINISH FLOOR ELEVATION
 44 FH = FIRE HYDRANT
 45 FI = FINISH FLOOR
 46 FI = FLOOD IRON PIPE
 47 FI = FLOOD IRON RAIL
 48 FND = FOUNDED
 49 FPK = FOUNDED PK NAIL
 50 FPKKD = FOUNDED PK NAIL AND DISC
 51 GTE = TELEPHONE RISER
 52 ILLO = ILLINOIS STATE OR PSM NUMBER
 53 LB = LICENSED BUSINESS
 54 LBE = LANDSCAPE BUFFER EASEMENT
 55 LME = LAKE MAINTENANCE EASEMENT
 56 LP = LIGHT POLE
 57 M = MEASURE
 58 ME = MAINTENANCE EASEMENT
 59 MFL = MISSOURI
 60 NAVD 1988 = NORTH AMERICAN VERTICAL DATUM OF 1988
 61 NAVD 1989 = NATIONAL GEODETIC VERTICAL DATUM OF 1989
 62 ND = NO DIB OR SURVEY MARKINGS
 63 NPO = NON-RADIAL
 64 NTS = NOT TO BE SURVEYED
 65 DPA = OVERHEAD POWER
 66 DHU = OVERHEAD UTILITY LINE
 67 OF = OFFICIAL RECORD
 68 P = PLAT
 69 PC = POINT OF CURVATURE
 70 PCC = POINT OF COMPOUND CURVATURE
 71 PERC = PERMANENT CONTROL POINT
 72 PI = POINT OF INTERSECTION
 73 PK = PARKER HALL EASEMENT
 74 PLS = PROFESSIONAL LAND SURVEYOR
 75 POB = POINT OF BEGINNING
 76 POC = POINT OF CLOSURE
 77 PP = POWER POLE
 78 PRC = POINT CIRCULAR CURVE
 79 PRM = PERMANENT REFERENCE MONUMENT
 80 PRP = PROFESSIONAL SURVEYOR AND MAPPER
 81 PU = PU = PUBLIC UTILITY & BROWNS EASEMENT
 82 PUE = PUBLIC UTILITY EASEMENT
 83 R = RADIUS
 84 R = RADIUS
 85 RING = ITEM DETECTED BY METAL DETECTOR BUT NOT
 86 RING = ITEM DETECTED BY METAL DETECTOR BUT NOT
 87 R = RADIUS
 88 R = RADIUS
 89 RSP = RAILROAD SPIKE
 90 SAF = SATELLITE DIB
 91 SAE = STREET BURNING EASEMENT
 92 SEC = SECTION
 93 SET = SET
 94 SET = SET IRON ROD WITH LB NUMBER
 95 TBM = TYPICAL BENCH MARK
 96 TCO = TAMPA ELECTRIC COMPANY
 97 TEL = TELEPHONE
 98 TOB = TOP OF BANK
 99 TP = TRASHED FLOOD WALL
 100 TUE = TECHNOLOGY UTILITY EASEMENT
 101 TVR = TELEVISION RISER
 102 TWP = TOWNSHIP
 103 U = UTILITY EASEMENT
 104 VFW = VFW FENCE
 105 W = WATER SERVICE
 106 WB = WATER BOX
 107 WF = WOOD FENCE
 108 WPD = WOOD POWER POLE
 109 WRET = WETLANDS RIVER ELECTRIC COMPANY
 110 X = DELTA OR CENTRAL ANGLE OF CURVE
 111 Y = DIMENSIONS AND LEFT AND RIGHT THEREOF
 112 ELEVATIONS SHOWN HEREIN ARE NAVD 1988 UNLESS OTHERWISE STATED
 113 ALL PHYSICAL IMPROVEMENTS SHOWN WITHOUT DIMENSIONS ARE FOR
 114 INFORMATION ONLY. THAT THEY ARE NOT TO BE CONSIDERED NECESSARILY
 115 MEASURED IN THE FIELD.
 116 NOTE: LEGAL DESCRIPTION PROVIDED BY CLIENT UNLESS OTHERWISE NOTED
 117 EASEMENTS AND RIGHT OF WAY SHOWN ARE PER PERCORR PLAT OR AS FURNISHED
 118 BY THE CLIENT.
 119 FOUNDATION LINE BELOW THE SURFACE OF THE GROUND IS NOT REFLECTED
 120 THIS SURVEY IS NOT TO BE USED FOR CONSTRUCTION PURPOSES UNDER ANY
 121 CONDITION UNLESS OTHERWISE STATED
 122 NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS HAVE BEEN LOCATED EXCEPT
 123 AS NOTED
 124 NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHT OF WAYS, AND/OR
 125 OWNERSHIP WERE FURNISHED THIS SURVEYOR EXCEPT AS SHOWN
 126 THERE ARE NO VISIBLE ENCROACHMENTS EXCEPT THOSE AS DELINEATED ON THIS
 127 PLAT OF SURVEY
 128 TIES ARE TO FIELD LINES UNLESS OTHERWISE NOTED
 129 THERE MAY BE ADDITIONAL RESTRICTIONS OR EASEMENTS THAT ARE NOT
 130 RECORDED ON SAID PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY
 131 FENCES MEASURED ON AND OFF LINE, APPROXIMATE LOCATION ONLY UNLESS STATED
 132 OTHERWISE.
 133 THE LINES ON THIS SKETCH DO NOT CONSTITUTE OWNERSHIP
 134 THE INTENT OF THIS SURVEY IS FOR TITLE SURVEY PURPOSES ONLY
 135 FLORIDA STATUTE - TWO SITE BENCHMARKS ARE REQUIRED FOR CONSTRUCTION
 136 THIS SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE FOLLOWING:
 137 F.E.M.A. FLOOD HAZARD MAPPING: THIS DATE PRODUCT WAS NOT DESIGNED TO MAKE
 138 PRECISE IN/OUT FLOOD RISK DETERMINATIONS; THIS PRODUCT IS NOT SUITABLE FOR
 139 DETERMINING APPLICATIONS AND CAPACITY BEYOND THAT OF DETERMINING ABSOLUTE
 140 DELINEATIONS OF FLOOD BOUNDARIES. CALL 1-877-FEMA-OR EMAIL A MAP SPECIALIST
 141 AT 1-877-FEMA-OR FOR MORE INFORMATION.
 142 OBTAIN WRITTEN FLOOD ZONE DETERMINATION FROM LOCAL PERMITTING, PLANNING AND
 143 BUILDING DEPARTMENT PRIOR TO ANY CONSTRUCTION PLANNING AND/OR CONSTRUCTION
 144 RIGHT-OF-WAY OF RECORD, OTHER THAN THOSE ON RECORD PLAT, IS REQUIRED. THIS
 145 INFORMATION HAS NOT BEEN SURVEYED OR VERIFIED BY THIS SURVEYOR.
 146 IF APPLICABLE, FENCES SHOWN MEASURED ON OR OFF LINES (APPROXIMATE LOCATION
 147 ONLY).
 148 ARCHITECTURAL FEATURES, SUCH AS FURRING STRIPS, SIDING, CORNICES, STUCCO,
 149 ETC. OUTSIDE THE LINE OF THE STRUCTURE HAVE BEEN TAKEN INTO ACCOUNT WHEN
 150 MEASURING THE STRUCTURE.
 151 ATTENTION IS DIRECTED TO THE FACT THAT THIS SURVEY MAY HAVE BEEN
 152 REDUCED OR ENLARGED IN SIZE DUE TO REPRODUCTION THIS SHOULD BE TAKEN INTO
 153 CONSIDERATION WHEN REPRODUCING SCALED DATA.



COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

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

VARIANCE PETITION APPLICATION

Variance from Setbacks Required for a Particular Zoning District

LDC section 9.04.00 & Code of Laws section 2-83 – 2-90

Chapter 3 J. of the Administrative Code

PROJECT NUMBER
PROJECT NAME
DATE PROCESSED

To be completed by staff

APPLICANT CONTACT INFORMATION

Name of Property Owner(s): Myles Samotin

Name of Applicant if different than owner: _____

Address: 132 North St. City: Naples State: FL ZIP: 34108

Telephone: _____ Cell: _____ Fax: _____

E-Mail Address: _____

Name of Agent: Blair Foley, PE

Firm: _____

Address: 120 Edgemere Way S City: Naples State: FL ZIP: 34105

Telephone: 239.263.1222 Cell: 239.289.4900 Fax: _____

E-Mail Address: fols000@aol.com

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

Attachment: Attachment C - Hearing Package 132 North St 2.22.21 (15118 : PL20200002057 VA 132 North Street Samotin)



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: 67231360002 Section/Township/Range: 10/49/25
Subdivision: Pine Ridge Unit: Lot: 5 Block: G
Metes & Bounds Description: See Survey Total Acreage: 1.56
Address/ General Location of Subject Property: 132 North St., Naples, FL 34108

ADJACENT ZONING AND LAND USE

	Zoning	Land Use
N	North St ROW	
S	RSF-1	Occupied
E	RSF-1	Occupied
W	RSF-1	Occupied

Minimum Yard Requirements for Subject Property:

Front: 50 Corner Lot: Yes ☐ No ☒
Side: 30 Waterfront Lot: Yes ☐ No ☒
Rear: 50

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.



COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

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

ASSOCIATIONS

Complete the following for all registered Association(s) that could be affected by this petition. Provide additional sheets if necessary. Information can be found on the Board of County Commissioner's website at <http://www.colliergov.net/Index.aspx?page=774>.

Name of Homeowner Association: Pine Ridge Civic Of Naples Homeowners Association

Mailing Address: PO Box 111208 **City:** Naples **State:** FL **ZIP:** 34108

Name of Homeowner Association: _____

Mailing Address: _____ **City:** _____ **State:** _____ **ZIP:** _____

Name of Homeowner Association: _____

Mailing Address: _____ **City:** _____ **State:** _____ **ZIP:** _____

Name of Homeowner Association: _____

Mailing Address: _____ **City:** _____ **State:** _____ **ZIP:** _____

Name of Homeowner Association: _____

Mailing Address: _____ **City:** _____ **State:** _____ **ZIP:** _____

NATURE OF PETITION

On a separate sheet, attached to the application, please provide the following:

1. A detailed explanation of the request including what structures are existing and what is proposed; the amount of encroachment proposed using numbers, i.e. reduce front setback from 25 ft. to 18 ft.; when property owner purchased property; when existing principal structure was built (include building permit number(s) if possible); why encroachment is necessary; how existing encroachment came to be; etc.
2. For projects authorized under LDC Section 9.04.02, provide a detailed description of site alterations, including any dredging and filling.
3. Pursuant to LDC section 9.04.00, staff shall be guided in their recommendation to the Hearing Examiner, and the Hearing Examiner shall be guided in the determination to approve or deny a variance petition by the criteria (a-h) listed below. Please address the following criteria:
 - a) Are there special conditions and circumstances existing which are peculiar to the location, size and characteristics of the land, structure, or building involved.



COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

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

- 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 is the subject of the variance request.
 - c) Will a literal interpretation of the provisions of this zoning code work unnecessary and undue hardship on the applicant or create practical difficulties on the applicant.
 - 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 or welfare.
 - e) Will granting the variance requested confer on the petitioner any special privilege that is denied by these zoning regulations to other lands, buildings, or structures in the same zoning district.
 - f) Will granting the variance be in harmony with the intent and purpose of this zoning code, and not be injurious to the neighborhood, or otherwise detrimental to the public 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 course, etc.
 - h) Will granting the variance be consistent with the Growth Management Plan?
4. 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.



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:
Variance
Chapter 3 J. 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)	☐	☐	☐
Pre-Application Meeting Notes	1	☐	☐
Project Narrative	☐	☐	☐
Completed Addressing Checklist	1	☐	☐
Property Ownership Disclosure Form	1	☒	☐
Conceptual Site Plan 24" x 36" and one 8 ½" x 11" copy	☐	☐	☐
Survey of property showing the encroachment (measured in feet)	2	☐	☐
Affidavit of Authorization , signed and notarized	2	☐	☐
Deeds/Legal's	3	☐	☐
Location map	1	☐	☐
Current aerial photographs (available from Property Appraiser) with project boundary and, if vegetated, FLUCFCS Codes with legend included on aerial	5	☐	☐
Historical Survey or waiver request	1	☐	☐
Environmental Data Requirements or exemption justification	3	☐	☐
<i>Once the first set of review comments are posted, provide the assigned planner the Property Owner Advisory Letter and Certification</i>	1	☐	☐
Electronic copy of all documents and plans *Please advise: 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.



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
☐	City of Naples: Robin Singer, Planning Director	☐	Immokalee Water/Sewer District
☐	Conservancy of SWFL: Nichole Ryan	☐	Parks and Recreation: David Berra
☐	Emergency Management: Dan Summers; and/or EMS: Artie Bay	☐	School District (Residential Components): Amy Lockheart
☐	Other:	☐	

FEE REQUIREMENTS

- ☐ **Pre-Application Meeting:** \$500.00
- ☐ **Variance Petition:**
 - ☐ **Residential-** \$2,000.00
 - ☐ **Non-Residential-** \$5,000.00
 - ☐ **5th and Subsequent Review-** 20% of original fee
- ☐ **Estimated Legal Advertising Fee for the Office of the Hearing Examiner:** \$1,125.00
- ☐ **After The Fact Zoning/Land Use Petitions:** 2x the normal petition fee
- ☐ **Listed Species Survey (if EIS is not required):** \$1,000.00

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 the permit fee shall be submitted to:

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

Blair A Foley

Digitally signed by Blair A
Foley
Date: 2020.10.22 09:09:36
-04'00'

Applicant Signature

Blair Foley

Printed Name

Date

Variance Request for Tennis Court Side Yard Setback

OWNER/APPLICANT: Myles Samotin

FOLIO: 67231360002

ADDRESS: 132 North St. Naples, FL 34108

Request:

The applicant is requesting a variance for relief from LDC 4.02.1 Table 2.1 to reduce the side yard setback from 30' to 12.5'.

Variance Criteria:

1. A detailed explanation of the request including what structures are existing and what is proposed; the amount of encroachment proposed using numbers, i.e. reduce front setback from 25 ft. to 18 ft.; when property owner purchased property; when existing principal structure was built (include building permit number(s) if possible); why encroachment is necessary; how existing encroachment came to be; etc.

The property is a one-story, single-family residence that has a single-entry driveway on ~1.56 acres. The existing home was constructed in 2000-2001 under building permit number 200008-2038. The CO was obtained 11/27/01.

The applicant purchased the property on 12/22/2005 (deed is book-page, 3952-2568). The applicant proposes to install a tennis court on the west side of the existing home. The existing setback on the west side is approximately 60' (30' required by RSF-1 zoning.)

The applicant requests variance in the west side yard setback from 30' to 12.5' to install the tennis court.

Due to the conditions on the lot, the west side yard is the only feasible location to install the tennis court. The restricting conditions include a pond in the rear yard that spans multiple properties and even smaller dimensions on the east side yard that is also the location of the driveway and garage entry.

2. For projects authorized under LDC Section 9.04.02, provide a detailed description of site alterations, including any dredging and filling.

The applicant has not altered the site. The same conditions exist from the date of purchase. The large pond in the rear of the property was constructed prior to the construction of the existing home. The pond overlaps the south and east property lines, so altering it to accommodate the tennis court in the rear yard would significantly affect those neighbors' properties.

3. Pursuant to LDC section 9.04.00, staff shall be guided in their recommendation to the Hearing Examiner, and the Hearing Examiner shall be guided in the determination to approve or deny a variance petition by the criteria (a-h) listed below. Please address the following criteria:

a) Are there special conditions and circumstances existing which are peculiar to the location, size

and characteristics of the land, structure, or building involved.

There is a large pond in the rear yard that covers approximately one third of the lot making it impossible to locate the tennis court in the rear yard.

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 is the subject of the variance request.

There is a large pond in the rear yard that covers approximately one third of the lot making it impossible to locate the tennis court in the rear yard.

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

Literal interpretation of the zoning code will not allow the applicant to construct the tennis court improvement.

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 or welfare.

The proposed location of the tennis court on the west side yard minimizes the setback reduction.

e) Will granting the variance requested confer on the petitioner any special privilege that is denied by these zoning regulations to other lands, buildings, or structures in the same zoning district.

Typically, RSF-1 lots have more buildable space than this particular lot due to the location of the pond. Locating a feature, such as a tennis court, would be feasible on properties within the RSF-1 zoning district and is not a special privilege.

In Pine Ridge, tennis courts are a common property improvement. A short aerial search shows that many of the tennis courts have been constructed in the 30' side yard setback. Therefore, granting the variance does not confer any special privilege on the petitioner.

f) Will granting the variance be in harmony with the intent and purpose of this zoning code, and not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

A tennis court is a typical feature in the Pine Ridge neighborhood which improves the property value and is consistent with healthy lifestyle promoted by Collier County.

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

There is a large pond in the rear yard that covers approximately one third of the lot making it impossible to locate the tennis court in the rear yard. The pond was constructed prior to the construction of the existing home. The pond overlaps the south and east property lines, so altering it to accommodate the tennis court in the rear yard would significantly affect those neighbors' properties.

h) Will granting the variance be consistent with the Growth Management Plan?

Granting the variance will not alter the density, nature, or single-family residential character of the property so it will continue to be consistent with the Growth Management Plan.

Collier County Property Appraiser Property Summary

3.B.d

Parcel No	67231360002	Site Address *Disclaimer	132 NORTH ST	Site City	NAPLES	Site Zone *Note	3410
-----------	-------------	------------------------------------	--------------	-----------	--------	---------------------------	------

Name / Address	SAMOTIN, MYLES R					
	132 NORTH ST					
City	NAPLES	State	FL	Zip	34108-2922	

Map No.	Strap No.	Section	Township	Range	Acres	*Estimated
4A10	561100 G 54A10	10	49	25	1.56	

Legal	PINE RIDGE BLKS E F G H BLK G LOT 5					
-------	-------------------------------------	--	--	--	--	--

Millage Area ①	118	Millage Rates ① *Calculations			
Sub./Condo	561100 - PINE RIDGE BLKS EFGH	School	Other	Total	
Use Code ①	1 - SINGLE FAMILY RESIDENTIAL	5.016	5.7924	10.8084	

Latest Sales History

(Not all Sales are listed due to Confidentiality)

Date	Book-Page	Amount
12/22/05	3952-2568	\$ 2,895,000
09/18/98	2462-2411	\$ 361,000
12/01/91	1667-2216	\$ 230,000
11/01/81	945-605	\$ 0
01/01/75	611-391	\$ 0

2020 Certified Tax Roll

(Subject to Change)

Land Value	\$ 833,81
(+) Improved Value	\$ 1,230,00
(=) Market Value	\$ 2,063,90
(-) Save our Home	\$ 877,80
(=) Assessed Value	\$ 1,186,10
(-) Homestead	\$ 25,00
(=) School Taxable Value	\$ 1,161,10
(-) Additional Homestead	\$ 25,00
(=) Taxable Value	\$ 1,136,10

If all Values shown above equal 0 this parcel was created after the Final Tax Roll

Attachment: Attachment C - Hearing Package 132 North St 2.22.21 (15118 : PL20200002057 VA 132 North Street Samotin)



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
MYLES R SAMOTIN	100

- 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	



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: _____

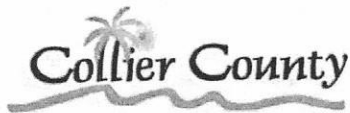
- f. If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust:

Name and Address
N/A

- g. Date subject property acquired 12/22/05

☐ Leased: Term of lease _____ years /months

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



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: _____

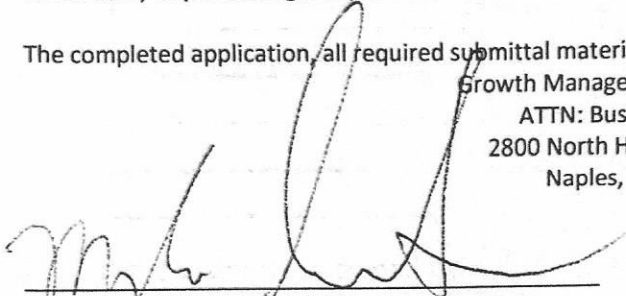
AFFIRM PROPERTY OWNERSHIP INFORMATION

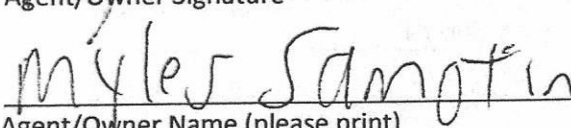
Any petition required to have Property Ownership Disclosure, will not be accepted without this form. Requirements for petition types are located on the associated application form. Any change in ownership whether individually or with a Trustee, Company or other interest-holding party, must be disclosed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

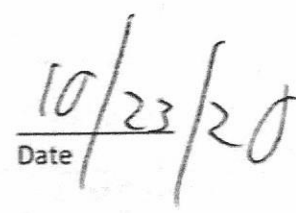
As the authorized agent/applicant for this petition, I attest that all of the information indicated on this checklist is included in this submittal package. I understand that failure to include all necessary submittal information may result in the delay of processing this petition.

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


Agent/Owner Name (please print)


Date

AFFIDAVIT OF AUTHORIZATION

FOR PETITION NUMBERS(S) 132 North Street Tennis Court Setback Variance - Petition Number to be provided by County

I, Dr. Myles Samotín (print name), as the home owner (title, if applicable) of 132 North Street property (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 Blair A. Foley, PE 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]
Signature

09/21/2020
Date

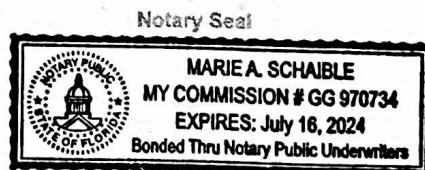
STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 21st day of September, 2020, by (printed name of owner or qualifier) Myles Rubin Samotín.

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: Marie A. Schaible



Variance Request for Tennis Court Side Yard Setback

FOR

132 North St.- Pine Ridge Estates

INDEX OF PLANS

SHEET NO.	DESCRIPTION
1	COVER SHEET
2	AERIAL PHOTO WITH CONCEPTUAL PLAN
3	SITE PLAN

PROJECT DATA

PROJECT NAME:	132 NORTH ST.
COUNTY PL NO.:	
ZONING:	RSF-1
FOLIO:	67231360002
LOCATION:	COLLIER COUNTY, FL S10 T49 R25

BUILDING DATA

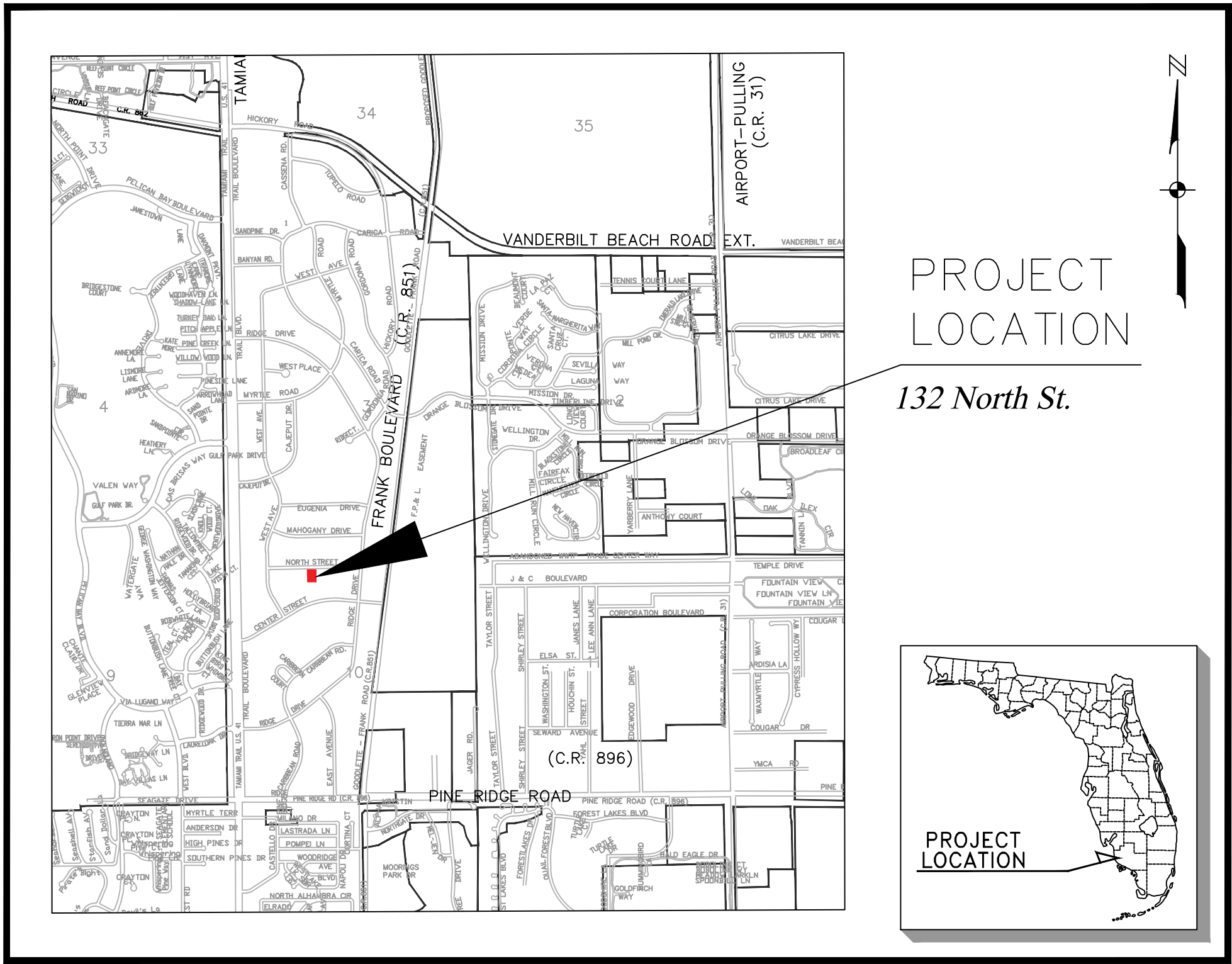
BUILDING CODE REFERENCES:
N/A
BUILDING CODE DATA:
N/A

Prepared for Owner:

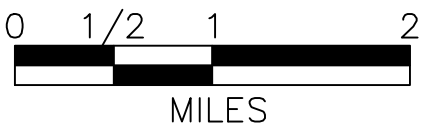
Myles Samotin
132 North St.
Naples, FL

LEGAL DESCRIPTION

LOT 5, BLOCK G, SUBDIVISION OF BLOCKS E, F, G AND H, PINE RIDGE SUBDIVISION, IN ACCORDANCE WITH AND SUBJECT TO THE PLAT RECORDED IN PLAT BOOK 4, PAGE 29, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA



LOCATION MAP



October 2020

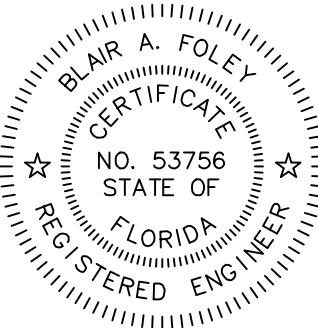
Blair A. Foley, P.E., LLC
Civil Engineer / Development Consultant
120 Edgemere Way South - Naples, FL 34105
Phone (239) 263-1222 - Cell (239) 289-4900 - Fax (239) 263-0472 - E-mail fols000@aol.com

Blair A
Foley

Digitally signed by
Blair A Foley
Date: 2020.10.29
08:12:59 -04'00'

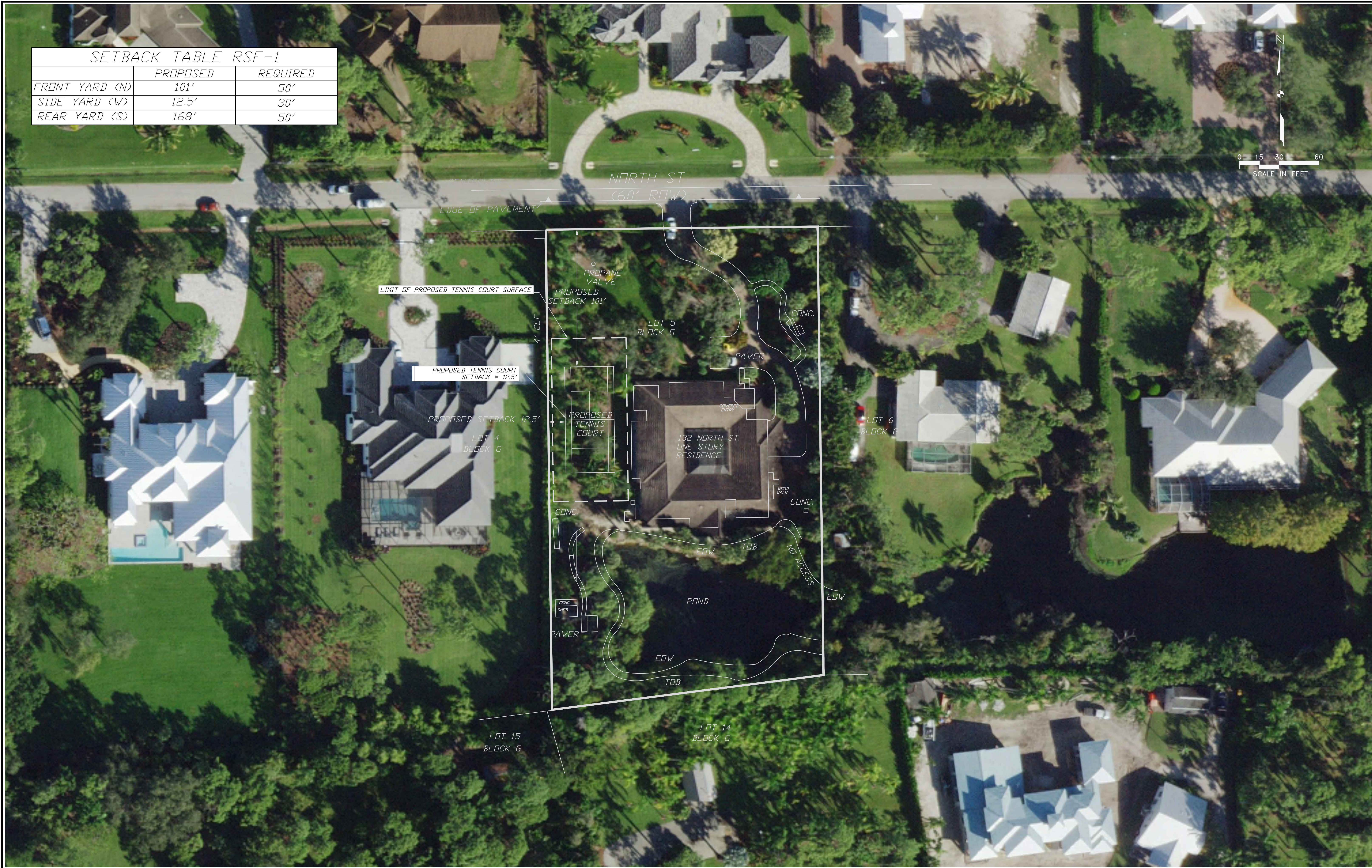
Certificate Of Authorization No. 9469
Florida Registered Professional Engineer No. 53756

Name _____ Date _____



132 North St
(VA)

SHEET
1 of 3



DESIGN	BAF	5				
DRAWN	AOM	4				
CHECKED	BAF	3				
		2				
		1				
Q.C.		NO.	DATE	REVISION	APPD BY	

NOT VALID FOR CONSTRUCTION
UNLESS SIGNED IN THIS BLOCK



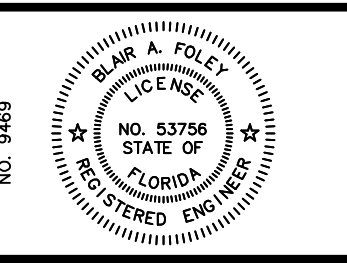
Blair A. Foley, P.E., LLC
Civil Engineer / Development Consultant
120 Edgemere Way South - Naples, FL 34105
Phone (239) 263-1222 Cell (239) 289-4900 Fax (239) 263-0472 E-mail fols000@aol.com



CLIENT: Myles Samotin

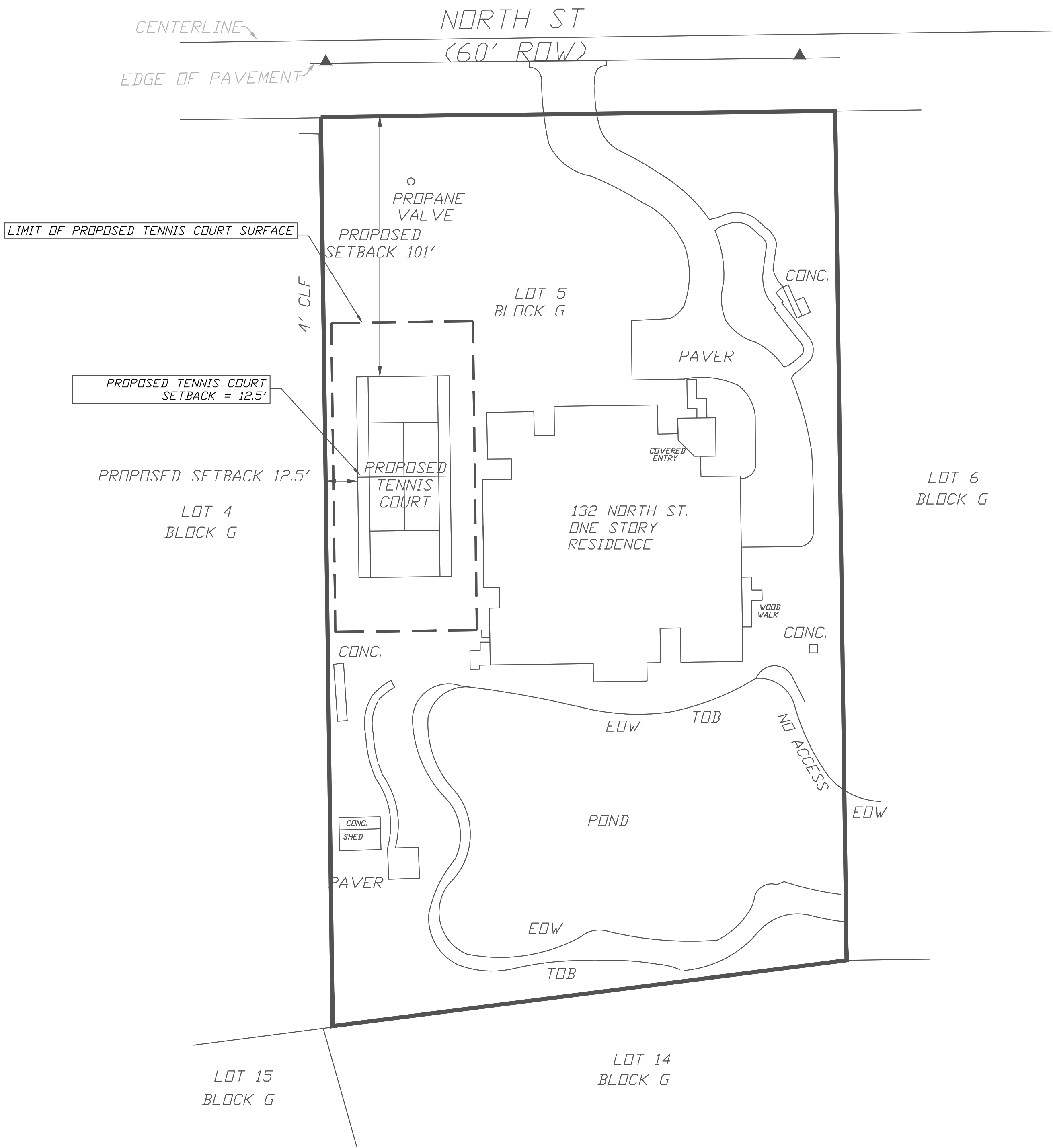
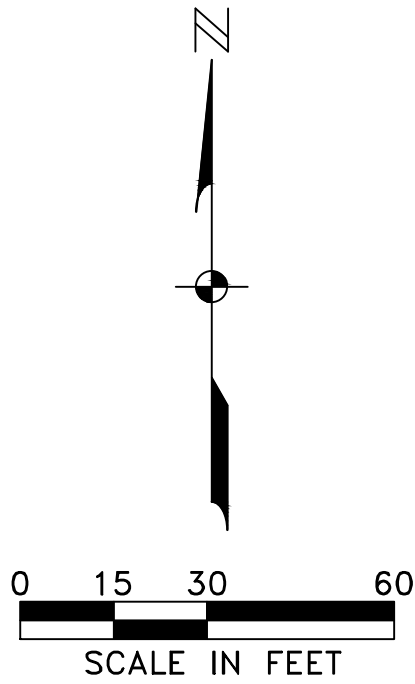
132 North St.
Collier County, Florida

Aerial Photo with Concept Plan



PROJ. NO.	00.000
SCALE	1" = 30'
DATE	9/11/20
SHT	2 OF 3

SETBACK TABLE RSF-1		
	PROPOSED	REQUIRED
FRONT YARD (N)	101'	50'
SIDE YARD (W)	12.5'	30'
REAR YARD (S)	168'	50'



DESIGN	BAF	5				
DRAWN	AOM	4				
CHECKED	BAF	3				
		2				
		1				
Q.C.		NO.	DATE	REVISION	APPD BY	

NOT VALID FOR CONSTRUCTION
UNLESS SIGNED IN THIS BLOCK



Blair A. Foley, P.E., LLC
Civil Engineer / Development Consultant

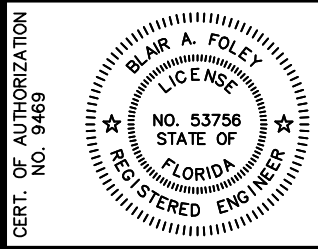
120 Edgemere Way South - Naples, FL 34105
Phone (239) 263-1222 Cell (239) 289-4900 Fax (239) 263-0472 E-mail fols000@aol.com



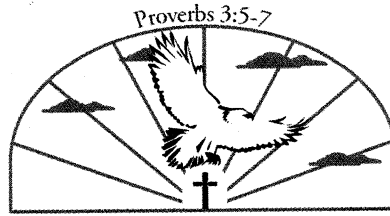
CLIENT: Myles Samotin

132 North St.
Collier County, Florida

Site Plan



PROJ NO.	00.000
SCALE	1" = 30'
DATE	9/11/20
SHT	3 OF 3



Blair A. Foley, P.E.
Civil Engineer / Development Consultant

January 21, 2021

Name: Terence Hayes
Address: 150 North St.
City, State Zip: Naples, FL 34108

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:

132 North Street, Naples, Florida – Pine Ridge Estates

It is our intent to request Collier County for a proposed 17.5-foot variance from the required western side yard accessory setback of 30 feet as provided for in Land Development Code Section 4.02.03.D for the Residential Single-Family-1 Zoning District. The request is to allow an unenclosed tennis court at 12.5 feet from the west property line located at 132 North Street in Section 10, Township 49 South, Range 25 East, Collier County, Florida. [PL20200002057]

In order to provide you an opportunity to become fully aware of our intention, we are contacting you directly via this letter, or 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,

Blair A. Foley, PE
President

Blair A. Foley, PE, LLC
120 Edgemere Way S.
Naples, FL 34105
Tele: 239.263.1222

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: PL20200002057 | Buffer: 150' | Date: 1/7/2020 | Site Location: 67231360002

NAME1	NAME2	NAME3	NAME4	NAME5	NAME6	FOLIO	ADDRESSTYPE
ALISON P KALB REVOCABLE TRUST	114 NORTH STREET				NAPLES, FL 34108---2922	67231320000	U
CENTERLAND LLC	123 CENTER STREET				NAPLES, FL 34108---0	67231760000	U
FRIEDMAN, ARTHUR S	LORRAINE PAIGE	175 CENTER ST			NAPLES, FL 34108---0	67231680009	U
FULOP, JACK & NATALIA C	117 NORTH ST				NAPLES, FL 34108---2923	67230960005	U
GEORGELOS FAMILY TRUST	135 NORTH ST				NAPLES, FL 34108---0	67231000003	U
HAYES, TERENCE M	150 NORTH ST				NAPLES, FL 34108---2922	67231400001	U
KENNEDY, THOMAS C	LAINA RIFFE KENNEDY	16627 FIRENZE WAY			NAPLES, FL 34110---0	67231720008	U
ROBINSON, KHARY	KIRANJEET GILL	2941 AZURE BAY CT			NAPLES, FL 34119---0	67231040005	U
SAMOTIN, MYLES R	132 NORTH ST				NAPLES, FL 34108---2922	67231360002	U

ALISON P KALB REVOCABLE TRUST
114 NORTH STREET
NAPLES, FL 34108---2922

CENTERLAND LLC
123 CENTER STREET
NAPLES, FL 34108---0

FRIEDMAN, ARTHUR
LORRAINE PAIGE
175 CENTER ST
NAPLES, FL 34108---0

FULOP, JACK & NATALIA C
117 NORTH ST
NAPLES, FL 34108---2923

GEORGELOS FAMILY TRUST
135 NORTH ST
NAPLES, FL 34108---0

HAYES, TERENCE M
150 NORTH ST
NAPLES, FL 34108---2922

KENNEDY, THOMAS C
LAINA RIFFE KENNEDY
16627 FIRENZE WAY
NAPLES, FL 34110---0

ROBINSON, KHARY
KIRANJEET GILL
2941 AZURE BAY CT
NAPLES, FL 34119---0

SAMOTIN, MYLES R
132 NORTH ST
NAPLES, FL 34108---2922

Attachment: Attachment C - Hearing Package 132 North St 2.22.21 (15118 : PL20200002057 VA 132 North Street Samotin)

AFFIDAVIT OF COMPLIANCE

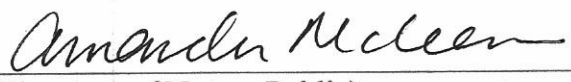
I hereby certify that pursuant to Ordinance 2004-72, of the Collier County Land Development Code, I did give notice by mail at least 30 days after receipt of letter indicating that the application is sufficient to the following property owners and or condominium and civic associations whose members may 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.


 - BLAIR FOLEY
 (Signature of Applicant)

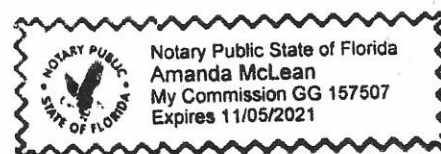
State of Florida
County of Collier

The foregoing Affidavit of compliance was acknowledged before me this 21 day of Jan., ²⁰²¹~~2010~~ by Blair Foley, who is personally known to me or who has produced _____ as identification.


 (Signature of Notary Public)

Amanda McLean
 Printed Name of Notary

(Notary Seal)



Justification for Variance Request for Tennis Court Side Yard Setback

OWNER/APPLICANT: Myles Samotin

FOLIO: 67231360002

ADDRESS: 132 North St. Naples, FL 34108

3. Pursuant to LDC section 9.04.00, staff shall be guided in their recommendation to the Hearing Examiner, and the Hearing Examiner shall be guided in the determination to approve or deny a variance petition by the criteria (a-h) listed below. Please address the following criteria:

a) Are there special conditions and circumstances existing which are peculiar to the location, size and characteristics of the land, structure, or building involved.

There is a large pond in the rear yard that covers approximately one third of the lot making it impossible to locate the tennis court in the rear yard.

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 is the subject of the variance request.

There is a large pond in the rear yard that covers approximately one third of the lot making it impossible to locate the tennis court in the rear yard.

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

Literal interpretation of the zoning code will not allow the applicant to construct the tennis court improvement.

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 or welfare.

The proposed location of the tennis court on the west side yard minimizes the setback reduction.

e) Will granting the variance requested confer on the petitioner any special privilege that is denied by these zoning regulations to other lands, buildings, or structures in the same zoning district.

Typically, RSF-1 lots have more buildable space than this particular lot due to the location of the pond. Locating a feature, such as a tennis court, would be feasible on properties within the RSF-1 zoning district and is not a special privilege.

In Pine Ridge, tennis courts are a common property improvement. A short aerial search shows that many of the tennis courts have been constructed in the 30' side yard setback. Therefore, granting the variance does not confer any special privilege on the petitioner.

f) Will granting the variance be in harmony with the intent and purpose of this zoning code, and not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

A tennis court is a typical feature in the Pine Ridge neighborhood which improves the property value and is consistent with healthy lifestyle promoted by Collier County.

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

There is a large pond in the rear yard that covers approximately one third of the lot making it impossible to locate the tennis court in the rear yard. The pond was constructed prior to the construction of the existing home. The pond overlaps the south and east property lines, so altering it to accommodate the tennis court in the rear yard would significantly affect those neighbors' properties.

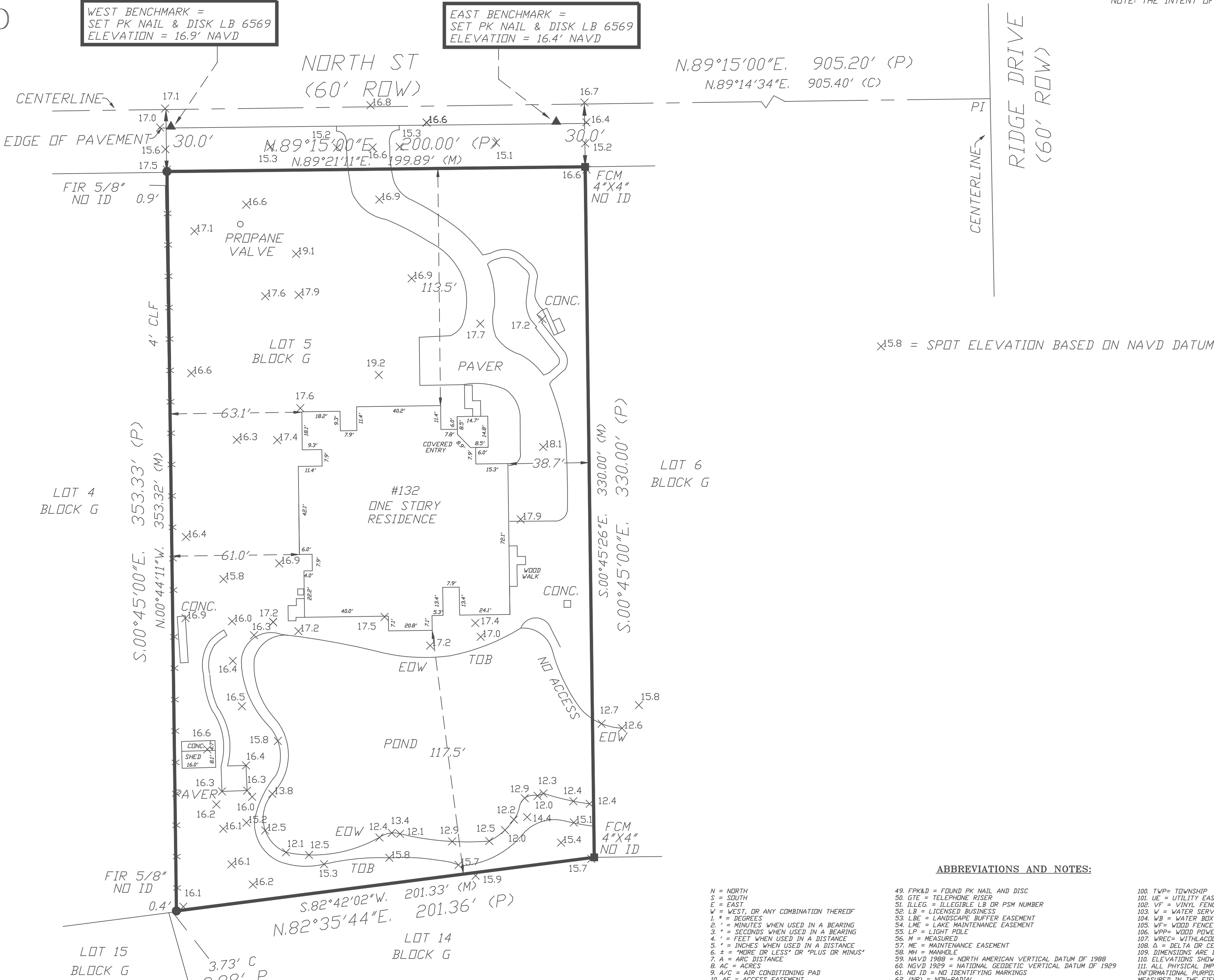
h) Will granting the variance be consistent with the Growth Management Plan?

Granting the variance will not alter the density, nature, or single-family residential character of the property so it will continue to be consistent with the Growth Management Plan.

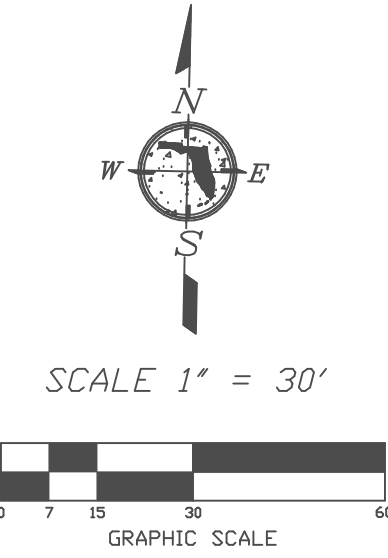
SURVEY SKETCH OF: BOUNDARY AND PARTIAL TOPOGRAPHIC SURVEY

NOT FOR FENCE CONSTRUCTION
NOT FOR CONSTRUCTION
NOT FOR DESIGN

STREET ADDRESS:
132 NORTH ST
NAPLES FLORIDA



THE LINES ON THIS SKETCH DO NOT CONSTITUTE OWNERSHIP
NOTE: THE INTENT OF THIS SURVEY IS FOR TITLE TRANSFER ONLY
COPYRIGHT 2020 F.L.A. SURVEYS CORP.



X58 = SPOT ELEVATION BASED ON NAVD DATUM

ABBREVIATIONS AND NOTES:

- N = NORTH
S = SOUTH
E = EAST
W = WEST, OR ANY COMBINATION THEREOF
1. = DEGREES
2. ' = MINUTES WHEN USED IN A BEARING
3. ' = SECONDS WHEN USED IN A BEARING
4. ' = FEET WHEN USED IN A DISTANCE
5. ' = INCHES WHEN USED IN A DISTANCE
6. ± = "MORE OR LESS" OR "PLUS OR MINUS"
7. A = ARC DISTANCE
8. AC = ACRES
9. A/C = AIR CONDITIONING PAD
10. AE = ACCESS EASEMENT
11. BE = BUFFER EASEMENT
12. BM = BENCHMARK
13. BOB = BASIS OF BEARING
14. BRG = BEARING
15. CR = CURVE
16. C = CALCULATED
17. CB = CATCH BASIN
18. CHB = CHORD BEARING
19. CHD = CHORD
20. CLF = CHAINLINK FENCE
21. CM = CONCRETE MONUMENT
22. CO = CLEAN OUT
23. CONC = CONCRETE
24. CP = CONCRETE PAD
25. CSW = CONCRETE SIDEWALK
26. CTV = CABLE TV RISER
27. CUE = COLLIER COUNTY UTILITY EASEMENT
28. D = DEED
29. DE = DRAINAGE EASEMENT
30. DH = DRILL HOLE
31. DI = DROP INLET
32. ELEC = ELECTRIC
33. EDP = EDGE OF PAVEMENT
34. EDR = EDGE OF ROAD
35. EDW = EDGE OF WATER
36. F = AS LABELED OR FOUND IN THE FIELD
37. FAC = FLORIDA ADMINISTRATIVE CODE
38. FCC = FOUND CROSS CUT
39. FCM = FOUND CONCRETE MONUMENT
40. FEMA = FEDERAL EMERGENCY MANAGEMENT AGENCY
41. FHM = FOUND DRILL HOLE
42. FI = FIRE HYDRANT
43. FIP = FOUND IRON PIPE
44. FIR = FOUND IRON ROD
45. FND = FOUND
46. FN = FOUND NAIL
47. FND = FOUND
48. FPK = FOUND PK NAIL
49. FPK&D = FOUND PK NAIL AND DISC
50. GTE = TELEPHONE RISER
51. ILLEG = ILLEGIBLE LB OR PSM NUMBER
52. LB = LICENSED BUSINESS
53. LBE = LANDSCAPE BUFFER EASEMENT
54. LME = LAKE MAINTENANCE EASEMENT
55. LP = LIGHT POLE
56. M = MEASURED
57. ME = MAINTENANCE EASEMENT
58. MH = MANHOLE
59. NAVD 1988 = NORTH AMERICAN VERTICAL DATUM OF 1988
60. NAVD 1989 = NATIONAL GEODETIC VERTICAL DATUM OF 1989
61. NO ID = NO IDENTIFYING MARKINGS
62. (NO) = NON-RADIAL
63. NTS = NOT TO SCALE
64. OHP = OVERHEAD POWER
65. OUL = OVERHEAD UTILITY LINE
66. DR = OFFICIAL RECORD BOOK
67. P = PLAT
68. PC = POINT OF CURVATURE
69. PCC = POINT OF COMPOUND CURVATURE
70. PCP = PERMANENT CONTROL POINT
71. PG = PAGE
72. PI = POINT OF INTERSECTION
73. PK = PARKER KALON NAIL
74. PLS = PROFESSIONAL LAND SURVEYOR
75. PDB = POINT OF BEGINNING
76. PDC = POINT OF COMMENCEMENT
77. PP = POWER POLE
78. PRC = POINT OF REVERSE CURVE
79. PRM = PERMANENT REFERENCE MONUMENT
80. PSM = PROFESSIONAL SURVEYOR AND MAPPER
81. PU & DE = PUBLIC UTILITY & DRAINAGE EASEMENT
82. PUE = PUBLIC UTILITY EASEMENT
83. (R) = RADIAL
84. R = RADIUS
85. RING = ITEM DETECTED BY METAL DETECTOR BUT NOT RECOVERED
86. RNC# RANGE
87. ROW = RIGHT-OF-WAY
88. RR SPK = RAILROAD SPIKE
89. SAT = SATELLITE DISH
90. SAF = STREET ADJACENT EASEMENT
91. SEC# = SECTION
92. SET 5/8" IRON ROD WITH LB NUMBER
93. TBM = TEMPORARY BENCH MARK
94. TECO = TAMPA ELECTRIC COMPANY
95. TEL = TELEPHONE FACILITIES
96. TOB = TOP OF BANK
97. TP = TRANSMITTER PAD
98. TUE = TECHNOLOGY UTILITY EASEMENT
99. TVR = TELEVISION RISER
100. TWP = TOWNSHIP
101. UE = UTILITY EASEMENT
102. VF = VINYL FENCE
103. W = WATER SERVICE
104. WB = WATER BOX
105. WF = WOOD FENCE
106. WPP = WOOD POWER POLE
107. WREC = WITHALACHOCHEE RIVER ELECTRIC COMPANY
108. Δ = DELTA OR CENTRAL ANGLE OF CURVE
109. DIMENSIONS ARE IN FEET AND IN DECIMALS THEREOF
110. ELEVATIONS SHOWN HEREIN ARE NAVD 1988 UNLESS OTHERWISE STATED
111. ALL PHYSICAL IMPROVEMENTS SHOWN WITHOUT DIMENSIONS ARE FOR INFORMATIONAL PURPOSES ONLY. THAT THEY DO EXIST, BUT WERE NOT NECESSARILY MEASURED IN THE FIELD
112. NOTES, LEGAL DESCRIPTION PROVIDED BY CLIENT UNLESS OTHERWISE NOTED
113. EASEMENTS AND RIGHT OF WAYS SHOWN ARE PER RECORDED PLAT OR AS FURNISHED BY THE CLIENT
114. FOUNDATION LINE BELOW THE SURFACE OF THE GROUND IS NOT REFLECTED
115. THIS SURVEY IS NOT TO BE USED FOR CONSTRUCTION PURPOSES UNDER ANY CONDITION UNLESS OTHERWISE STATED
116. NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS NOTED
117. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHT OF WAYS, AND/OR OWNERSHIP WERE FURNISHED THIS SURVEYOR EXCEPT AS SHOWN
118. THERE ARE NO VISIBLE ENCROACHMENTS EXCEPT THOSE AS DELINEATED ON THIS PLAT OF SURVEY
119. TIES ARE TO FIELD LINES UNLESS OTHERWISE NOTED
120. THERE MAY BE ADDITIONAL RESTRICTIONS AND/OR EASEMENTS THAT ARE NOT RECORDED ON SAID PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY
121. FENCES MEANDER ON AND OFF LINE, APPROXIMATE LOCATION ONLY UNLESS STATED OTHERWISE
122. THE LINES ON THIS SKETCH DO NOT CONSTITUTE OWNERSHIP
123. THE INTENT OF THIS SURVEY IS FOR TITLE TRANSFER ONLY
124. FLORIDA STATUTE - TWO SITE BENCHMARKS ARE REQUIRED FOR CONSTRUCTION
125. THIS SURVEY DOES NOT REFLECT OR DETERMINE OWNERSHIP
126. FEMA FLOOD HAZARD MAPPING: THIS DATE PRODUCT WAS NOT DESIGNED TO MAKE PRECISE IN-OUT FLOOD RISK DETERMINATIONS; THIS PRODUCT IS NOT SUITABLE FOR ENGINEERING APPLICATIONS AND CANNOT BE USED TO DETERMINE ABSOLUTE DELINEATIONS OF FLOOD BOUNDARIES CALL 1-877-FEMAMAP OR EMAIL A MAP SPECIALIST AT: <http://www.fema.gov/plan/prevent/77m/tsl/emap.sht> PROPERTY OWNER SHOULD OBTAIN WRITTEN FLOOD ZONE DETERMINATION FROM LOCAL PERMITTING, PLANNING AND BUILDING DEPARTMENT PRIOR TO ANY CONSTRUCTION PLANNING AND/OR CONSTRUCTION
127. IN COMPLIANCE WITH FAC 5J-105.00(4)(a) - 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
128. IF APPLICABLE, FENCES SHOWN MEANDER ON OR OFF LINES (APPROXIMATE LOCATION ONLY)
129. ARCHITECTURAL FEATURES, SUCH AS FURRING STRIPS, SIDING, CORNICES, STUCCO, ETC., OUTSIDE THE LINE OF THE STRUCTURE HAVE BEEN TAKEN INTO ACCOUNT WHEN GIVING TIES FROM THE STRUCTURE TO THE LOT LINES
130. ATTENTION IS DIRECTED TO THE FACT THAT THIS SURVEY MAY HAVE BEEN REDUCED OR ENLARGED IN SIZE DUE TO REPRODUCTION; THIS SHOULD BE TAKEN INTO CONSIDERATION WHEN OBTAINING SCALED DATA

LEGAL DESCRIPTION :

LOT 5, BLOCK G, SUBDIVISION OF BLOCKS E, F, G AND H, PINE RIDGE SUBDIVISION, IN ACCORDANCE WITH AND SUBJECT TO THE PLAT RECORDED IN PLAT BOOK 4, PAGE 29, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA

QUALITY CONTROL

BY : MEF DATE : 05/20/2020

CERTIFICATION :

I HEREBY CERTIFY THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS & MAPPERS CHAPTER 5J17.05-052, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

BY : Leland F. DySard SURVEY DATE : 05/18/2020

CLINTON W. FINSTAD, PE, CFM, PLS #2453 LELAND F. DYsARD, PLS #3859
MARY E. FINSTAD, CFM, PSM #5901 RONALD W. WALLING, PSM #6473

NOT VALID WITHOUT SURVEYOR'S SIGNATURE AND EMBOSSED SEAL
NOT A CERTIFICATION OF TITLE, ZONING, EASEMENTS OR FREEDOM OF ENCUMBRANCES.

DATE	BY	REVISION	F.L.A. SURVEYS CORP. PROFESSIONAL LAND SURVEYORS AND MAPPERS LB-6569 9220 BONITA BEACH ROAD, SUITE 200 BONITA SPRINGS, FLORIDA 34135 239-404-7128 239-772-4338 239-250-2792 239-825-8504	CERTIFIED TO SAMANTHA ARDENFRIEND-SAMOTIN	PROJECT 132 NORTH ST NAPLES, FLORIDA	TITLE BOUNDARY AND PARTIAL TOPOGRAPHIC SURVEY	SHEET W.O. NO. 20-85611	OF 1 DRN. BY SVJ PAR. CHF. MIKE/RLF
------	----	----------	---	--	--	---	-------------------------------	---

NEIGHBORS FOR REQUEST OF YARD REDUCTION

3.B.d

To be completed by the Petitioner

Owner: Dr. Myles Samotin

Project Address: 132 North Street Naples, FL 34108

Scope of Work: Tennis Court Build

Plan Check Number: _____ Date: 9/10/2020

REQUEST: To allow a reduced ☒ (side) ☐ (rear) ☐ (front) yard of 10 feet in lieu of 30 feet as required by Code and as indicated in the attached plans.

I certify that the plans presented to the neighbor for his/her review are identical to those plans for which a building permit is being requested:


Signature

To be completed by Neighbor

I, Kevin Kalb, am the legal owner of property
(Name)
located at 114 North Street Naples, FL 34108
(address - number and street)
with the following legal description: Lot: 4 Block: G Tract: _____
which is an adjoining property (including across the street) to the project address. I am aware that a reduction of required yards is being applied for at the subject property and have reviewed the plans presented to me by the petitioner for the proposed construction.

☒ I HAVE NO OBJECTION TO GRANTING MY CONSENT FOR THE AFOREMENTIONED REQUEST FOR YARD REDUCTION.

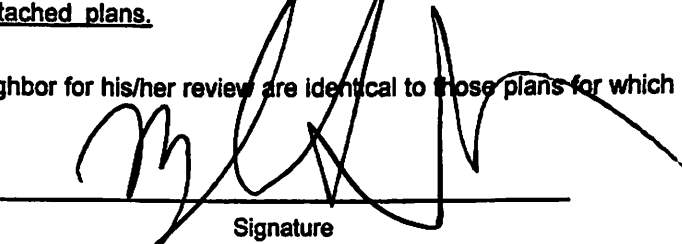
☐ I OBJECT TO THIS REQUEST FOR A YARD REDUCTION. (NOTE THAT NEIGHBORS ARE UNDER NO OBLIGATION TO SIGN)


Neighbor Signature
Kevin Kalb
Print Name

9/14/20
Date

Attachment: Attachment C - Hearing Package 132 North St 2.22.21 (15118 : PL20200002057 VA 132 North Street Samotin)

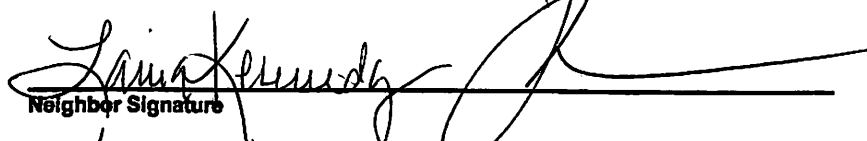
LETTER OF CONSENT/NON-CONSENT FROM ADJOINING NEIGHBORS FOR REQUEST OF YARD REDUCTION

To be completed by the Petitioner	
Owner: <u>Dr. Myles Samorin</u>	
Project Address: <u>132 North Street Naples, FL 34108</u>	
Scope of Work: <u>Tennis Court Build</u>	
Plan Check Number:	Date: <u>9/10/2020</u>
REQUEST: To allow a reduced ☒ (side) ☐ (rear) ☐ (front) yard of <u>10</u> feet in lieu of <u>30</u> feet as required by Code and <u>as indicated in the attached plans.</u>	
I certify that the plans presented to the neighbor for his/her review are identical to those plans for which a building permit is being requested:	
 Signature	

To be completed by Neighbor
I, <u>Laird S. Thomas Kennedy</u> , am the legal owner of property (Name)
located at <u>157 Center Street, Naples, FL 34110</u> (address - number and street)
with the following legal description: Lot: <u>14</u> Block: <u>6</u> Tract: _____
which is an adjoining property (including across the street) to the project address. I am aware that a reduction of required yards is being applied for at the subject property and have reviewed the plans presented to me by the petitioner for the proposed construction.

☒ I HAVE NO OBJECTION TO GRANTING MY CONSENT FOR THE AFOREMENTIONED REQUEST FOR YARD REDUCTION.

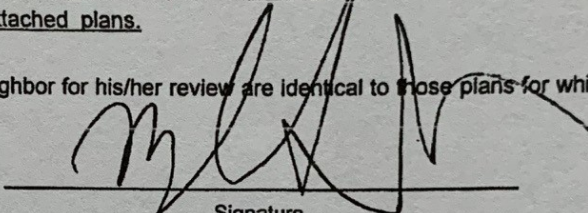
☐ I OBJECT TO THIS REQUEST FOR A YARD REDUCTION. (NOTE THAT NEIGHBORS ARE UNDER NO OBLIGATION TO SIGN)


 Neighbor Signature
Laird Kennedy / Thomas C Kennedy
 Print Name

10/14/2020
Date

Attachment: Attachment C - Hearing Package 132 North St 2.22.21 (15118 : PL20200002057 VA 132 North Street Samotin)

LETTER OF CONSENT/NON-CONSENT FROM ADJOINING NEIGHBORS FOR REQUEST OF YARD REDUCTION

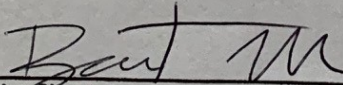
To be completed by the Petitioner	
Owner: <u>Dr. Myles Samorin</u>	
Project Address: <u>132 North Street Naples, FL 34108</u>	
Scope of Work: <u>Tennis Court Build</u>	
Plan Check Number:	Date: <u>9/10/2020</u>
REQUEST: To allow a reduced ☒ (side) ☐ (rear) ☐ (front) yard of <u>10</u> feet in lieu of <u>30</u> feet as required by Code and as indicated in the attached plans.	
I certify that the plans presented to the neighbor for his/her review are identical to those plans for which a building permit is being requested:	
 Signature	

To be completed by Neighbor
I, <u>Bert Maulsky</u> , am the legal owner of property
(Name)
located at <u>123 Center St</u>
(address - number and street)
with the following legal description: Lot: <u>16</u> Block: _____ Tract: _____
which is an adjoining property (including across the street) to the project address. I am aware that a reduction of required yards is being applied for at the subject property and have reviewed the plans presented to me by the petitioner for the proposed construction.

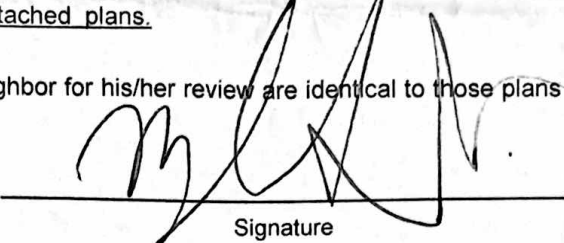


I HAVE NO OBJECTION TO GRANTING MY CONSENT FOR THE AFOREMENTIONED REQUEST FOR YARD REDUCTION.

☐ I OBJECT TO THIS REQUEST FOR A YARD REDUCTION. (NOTE THAT NEIGHBORS ARE UNDER NO OBLIGATION TO SIGN)


 Neighbor Signature _____ Date 10/17/20
Bert Maulsky
 Print Name _____

LETTER OF CONSENT/NON-CONSENT FROM ADJOINING NEIGHBORS FOR REQUEST OF YARD REDUCTION

To be completed by the Petitioner	
Owner:	Dr. Myles Samotin
Project Address:	132 North Street Naples, FL 34108
Scope of Work:	Tennis Court Build
Plan Check Number:	Date: 9/10/2020
REQUEST: To allow a reduced ☒ (side) ☐ (rear) ☐ (front) yard of <u>10</u> feet in lieu of <u>30</u> feet as required by Code and <u>as indicated in the attached plans.</u>	
I certify that the plans presented to the neighbor for his/her review are identical to those plans for which a building permit is being requested:  Signature	

To be completed by Neighbor	
I, <u>Laura Georgelos</u>	am the legal owner of property
(Name)	
located at <u>135 North St. Naples, FL 34108</u>	(address - number and street)
with the following legal description: Lot: <u>5</u> Block: <u>F</u> Tract: _____	
which is an adjoining property (including across the street) to the project address. I am aware that a reduction of required yards is being applied for at the subject property and have reviewed the plans presented to me by the petitioner for the proposed construction.	

☒ I HAVE NO OBJECTION TO GRANTING MY CONSENT FOR THE AFOREMENTIONED REQUEST FOR YARD REDUCTION.

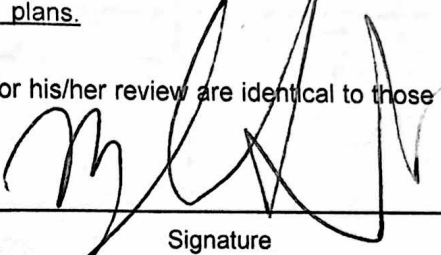
☐ I **OBJECT** TO THIS REQUEST FOR A YARD REDUCTION. (NOTE THAT NEIGHBORS ARE UNDER NO OBLIGATION TO SIGN)

Laura Ref
Neighbor Signature

9-16-20
Date

Laura Georgelos
Print Name

LETTER OF CONSENT/NON-CONSENT FROM ADJOINING NEIGHBORS FOR REQUEST OF YARD REDUCTION

To be completed by the Petitioner	
Owner:	Dr. Myles Samorin
Project Address:	132 North Street Naples, FL 34108
Scope of Work:	Tennis Court Build
Plan Check Number:	Date: 9/10/2020
REQUEST: To allow a reduced ☒ (side) ☐ (rear) ☐ (front) yard of <u>10</u> feet in lieu of <u>30</u> feet as required by Code and as indicated in the attached plans.	
I certify that the plans presented to the neighbor for his/her review are identical to those plans for which a building permit is being requested:  Signature	

To be completed by Neighbor
I, <u>Jack Fulop</u> , am the legal owner of property (Name)
located at <u>117 North St C34108</u> (address - number and street)
with the following legal description: Lot: <u>4</u> Block: <u>F</u> Tract: _____
which is an adjoining property (including across the street) to the project address. I am aware that a reduction of required yards is being applied for at the subject property and have reviewed the plans presented to me by the petitioner for the proposed construction.

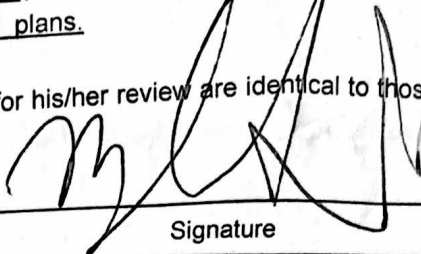
- ☒ I HAVE NO OBJECTION TO GRANTING MY CONSENT FOR THE AFOREMENTIONED REQUEST FOR YARD REDUCTION.
- ☐ I OBJECT TO THIS REQUEST FOR A YARD REDUCTION. (NOTE THAT NEIGHBORS ARE UNDER NO OBLIGATION TO SIGN)


 Neighbor Signature
Jack Fulop
 Print Name

9/10/20
 Date

NEIGHBORS FOR REQUEST OF YARD REDUCTION

3.B.d

To be completed by the Petitioner	
Owner:	Dr. Myles Samotin
Project Address:	132 North Street Naples, FL 34108
Scope of Work:	Tennis Court Build
Plan Check Number:	Date: 9/10/2020
REQUEST: To allow a reduced ☒ (side) ☐ (rear) ☐ (front) yard of <u>10</u> feet in lieu of <u>30</u> feet as required by Code and as indicated in the attached plans.	
I certify that the plans presented to the neighbor for his/her review are identical to those plans for which a building permit is being requested:	
 _____ Signature	

To be completed by Neighbor	
I, <u>Terence M. Hayes</u>	am the legal owner of property
(Name)	
located at <u>150 North Street, Naples, FL 34108</u>	(address - number and street)
with the following legal description: Lot: _____ Block: _____ Tract: _____	
which is an adjoining property (including across the street) to the project address. I am aware that a reduction of required yards is being applied for at the subject property and have reviewed the plans presented to me by the petitioner for the proposed construction.	

- ☒ I HAVE NO OBJECTION TO GRANTING MY CONSENT FOR THE AFOREMENTIONED REQUEST FOR YARD REDUCTION.
 Proposed tennis court on West side of 132 North Street.
- ☐ I OBJECT TO THIS REQUEST FOR A YARD REDUCTION. (NOTE THAT NEIGHBORS ARE UNDER NO OBLIGATION TO SIGN)



 Neighbor Signature

Terence M. Hayes

 Print Name

9-20-2020

 Date

Sign Installed Feb. 19, 2021



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.

AFFIDAVIT OF POSTING NOTICE

STATE OF FLORIDA
COUNTY OF COLLIER

BEFORE THE UNDERSIGNED AUTHORITY, PERSONALLY APPEARED Blair Foley
WHO ON OATH SAYS THAT HE/SHE HAS POSTED PROPER NOTICE AS REQUIRED BY SECTION 10.03.00 OF THE
COLLIER COUNTY LAND DEVELOPMENT CODE ON THE PARCEL COVERED IN PETITION NUMBER
VA PL 20200002057 :

SIGNATURE OF APPLICANT OR AGENT

Blair Foley

NAME (TYPED OR PRINTED)

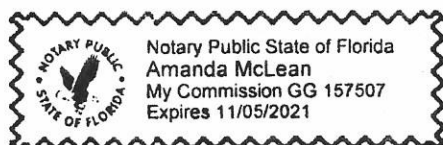
#

120 Edgemere Way S.
STREET OR P.O. BOX

Naples, FL 34105
CITY, STATE ZIP

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was sworn to and subscribed before me this 22 day of Feb., 2021, by
Blair Foley, personally known to me or who produced _____ as identification
and who did/did not take an oath.



Amanda McLean
Signature of Notary Public

Amanda McLean
Printed Name of Notary Public

My Commission Expires: 11/05/2021
(Stamp with serial number)

Rev. 3/4/2015



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): PL20200002057

Regarding the above subject petition number(s), Blair Foley, PE (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: Blair Foley

Date: _____

Blair A Foley Digitally signed by Blair A Foley
Date: 2021.02.18 15:33:15 -05'00'

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: HEX Hybrid Meeting Waiver SIGNED (15118 : PL20200002057 VA 132 North Street Samotin)