

COLLIER COUNTY
Collier County Hearing Examiner



AGENDA

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

August 12, 2021

9: 00 AM

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

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

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

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

1. Pledge of Allegiance
2. Review of Agenda
3. Advertised Public Hearing
 - A. PETITION NO. RPUD PDI - PL20200002165, RPUD PDI Rockedge - Request for an insubstantial change to Ordinance No. 16-03, the Rockedge Residential Planned Unit Development (RPUD), Ordinance No. 16-03, as amended, to amend Exhibit F, Transportation Commitment “A” to allow for a payment-in-lieu option for the future construction of the required Collier Area Transit (CAT) bus stop with shelter. The property is located near the northeast corner of the intersection of Sabal Palm Road and Collier Boulevard in Section 23, Township 50 South, Range 26 East, Collier County, Florida, consisting of 106.44+/- acres. [Coordinator: Nancy Gundlach, AICP, PLA, Principal Planner] Commission District 1.
 - B. PETITION NO. CU- PL20200001823, South Florida Gas- Request for approval of a Conditional Use to allow a liquid propane storage and distribution facility pursuant to Section 2.03.04.A.1.c.23 of the Collier County Land Development Code on a 0.92± acre property located on the east side of Recycling Way approximately 0.4 miles north of Tamiami Trail East (US 41) in Section 18, Township 51 South, Range 27 East, Collier County, Florida. [Coordinator: John Kelly, Senior Planner] Commission District 1
 - C. PETITION NO. VA-PL20190001140, Charleston Square Condominium - Request for a variance from Section 5.03.02.C.2.a of the Land Development Code to increase the maximum rear yard wall height on a residential Planned Unit Development lot greater than 1 acre from 6 feet to ±18.33 feet, to allow for a 10-foot wall to replace an 8-foot wall destroyed by Hurricane Irma that was constructed on an 8.33-foot berm along the northern property line of Parcel “A”, Charleston Square, located to the north of the Imperial Golf Course Boulevard and Charleston Square Drive intersection, within the ±98-acre Imperial West Planned Unit Development, in Section 15, Township 48 South, Range 25 East, Collier County, Florida. [Coordinator: John Kelly, Senior Planner] Commission District 2
 - D. PETITION NO. PDI-PL20210000379, Baumgarten PUD Founder's Request for an insubstantial change to Ordinance No. 19-11, as amended, the Baumgarten Mixed Use Planned Unit Development (MPUD), Exhibit B, Section I, Mixed-Use Development Standards, by decreasing the required minimum yard setback from the Eastern Project Boundary from 50 feet to 25 feet, removing the applicable provision that any building exceeding 50 feet in height shall increase its setback by one foot for each one foot exceeding 50 feet of zoned height from the eastern PUD boundary, and limiting the maximum height of principal structures within 50 feet of the Eastern Project Boundary to 35 feet zoned height and 45 feet actual height, located at the southeast quadrant of Immokalee Road (CR 846) and Collier Boulevard (CR 951) in Section 26, Township 48 South, Range 26 East, Collier County, Florida. [Coordinator: John Kelly, Senior Planner] Commission District 5
4. Other Business
5. Public Comments

6. Adjourn

COLLIER COUNTY
Collier County Hearing Examiner

Item Number: 3.A

Item Summary: PETITION NO. RPUD PDI - PL20200002165, RPUD PDI Rockledge - Request for an insubstantial change to Ordinance No. 16-03, the Rockledge Residential Planned Unit Development (RPUD), Ordinance No. 16-03, as amended, to amend Exhibit F, Transportation Commitment "A" to allow for a payment-in-lieu option for the future construction of the required Collier Area Transit (CAT) bus stop with shelter. The property is located near the northeast corner of the intersection of Sabal Palm Road and Collier Boulevard in Section 23, Township 50 South, Range 26 East, Collier County, Florida, consisting of 106.44+/- acres. [Coordinator: Nancy Gundlach, AICP, PLA, Principal Planner] Commission District 1.

Meeting Date: 08/12/2021

Prepared by:

Title: Planner, Principal – Zoning

Name: Nancy Gundlach

07/23/2021 11:46 AM

Submitted by:

Title: – Zoning

Name: Mike Bosi

07/23/2021 11:46 AM

Approved By:

Review:

Growth Management Operations & Regulatory Management	Kenneth Kovensky	Review Item	Completed
Hearing Examiner (GMD Approvers)	Diane Lynch	Review Item	Completed 07/23/2021 4:33 PM
Zoning	Nancy Gundlach	Zoning Director Review	Skipped 07/23/2021 11:50 AM
Zoning	Ray Bellows	Review Item	Completed 07/26/2021 9:09 AM
Zoning	Mike Bosi	Review Item	Completed 07/26/2021 11:12 AM
Hearing Examiner	Andrew Dickman	Meeting Pending	08/12/2021 9:00 AM



STAFF REPORT

TO: HEARING EXAMINER

FROM: ZONING DIVISION – ZONING SERVICES SECTION
GROWTH MANAGEMENT DEPARTMENT

HEARING DATE: AUGUST 12, 2021

SUBJECT: PDI-PL20200002165, ROCKEDGE RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD)

APPLICANT:

Forestar (USA) Real Estate Group, Inc.
4042 Park Oaks Blvd., Suite 200
Tampa, FL 33610

AGENT:

Mr. Kenrick S. Gallander, AICP
RWA, Inc.
6610 Willow Park Drive
Naples, FL 34109

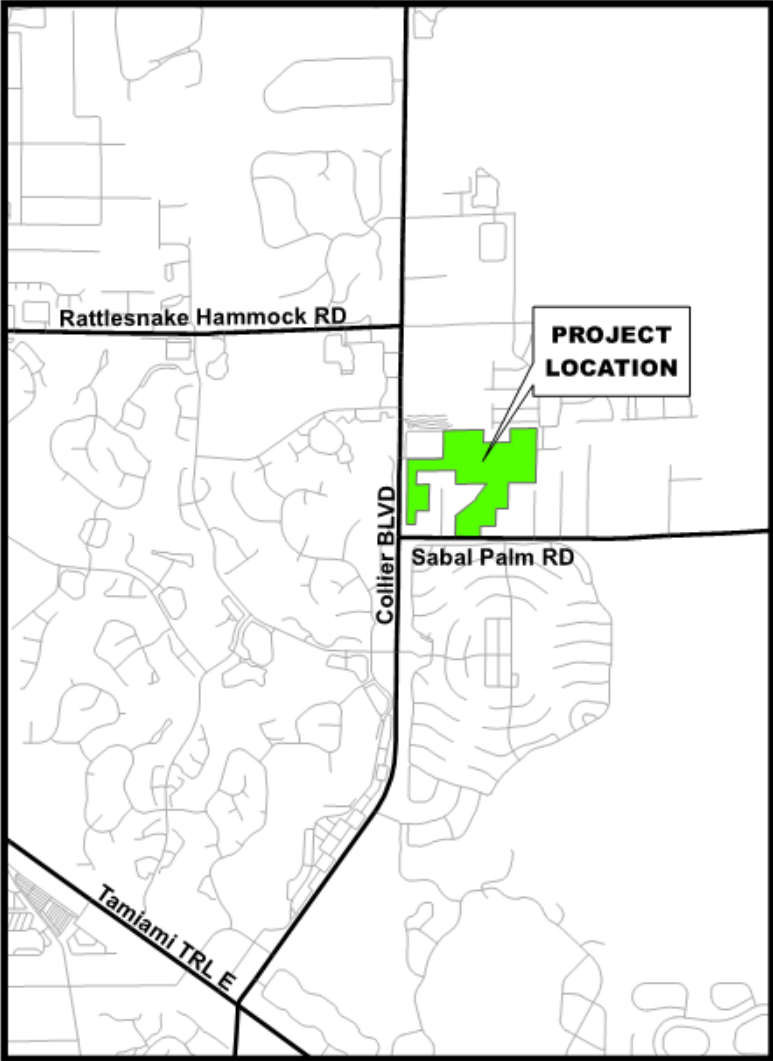
REQUESTED ACTION:

The petitioner requests that the Hearing Examiner approve an insubstantial change to Ordinance Number 16-03, the Rockedge Planned Unit Development to amend PUD Exhibit F, Transportation Commitment “A” to allow for a payment in lieu option for a future construction of a required Collier Area Transit (CAT) bus stop with shelter.

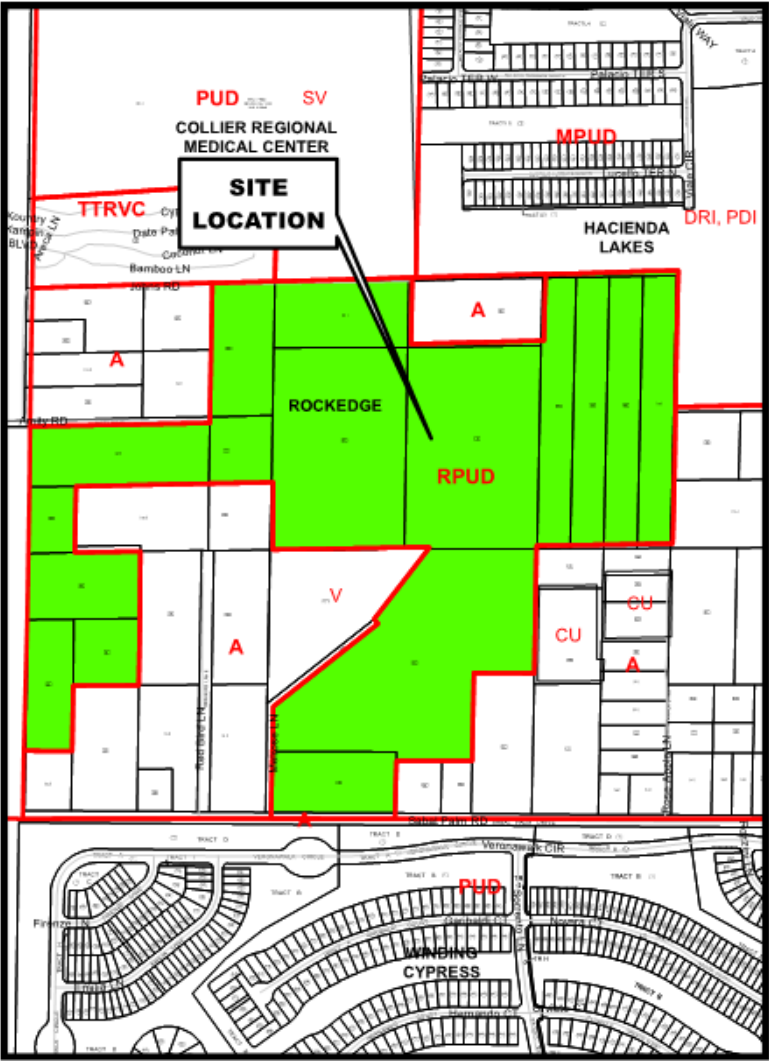
GEOGRAPHIC LOCATION:

The subject 106.44± acre property is located near the northeast corner of the intersection of Sabal Palm Road and Collier Boulevard in Section 23, Township 50 South, Range 26 East, Collier County, Florida. (See Location Map on page 2.)

Attachment: Staff Report-Rockedge 7-22-21 (17571 : PL20200002165, Rockedge RPUD PDI)

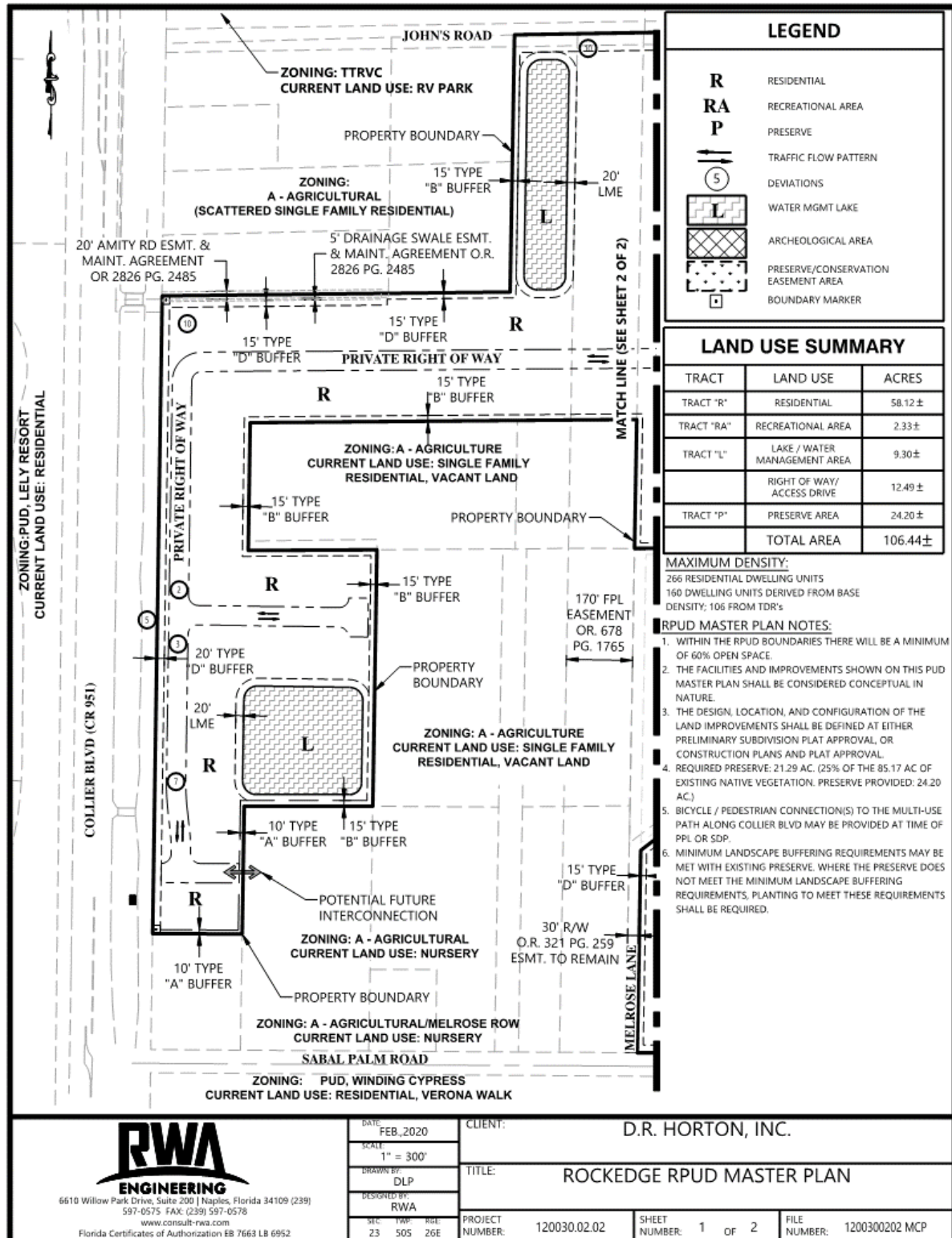


Location Map



Zoning Map

Petition Number: PL20200002165





PURPOSE/DESCRIPTION OF PROJECT:

The Rockledge RPUD was originally approved in Ordinance Number 06-31 on June 6, 2006. It was amended in Ordinance Number 16-03 on February 9, 2016. See Attachment B-*Ordinance 16-03*. The Planned Unit Development (PUD) Ordinance allows for up to 266 multi-family and single-family residential units at a density of 2.5 dwelling units per acre (DUA). The subject property is currently undergoing clearing and development.

The purpose of this Insubstantial Change to a PUD (PDI) request is to make the following changes to **Ordinance No. 16-03, PUD Exhibit F, Transportation commitment “A”**:

At the sole discretion and decision of Collier County, prior to the first Certificate of Occupancy issuance and at no cost to the County, a Collier Area Transit (CAT) bus stop with shelter and associated access pathways will either be installed by the developer or a payment-in-lieu will instead be provided by the developer. at no cost to the County. The payment-in-lieu amount shall be the reasonable cost for the construction of a bus stop with shelter and associated access pathways and shall be first approved by the County Manager or their designee in coordination with CAT. The exact location will be determined during site development plan review; however, every effort shall be made for co-utilization of the CAT stop for a school bus pick-up and drop-off. This shall be coordinated with the Collier County School District. If co-utilization is determined not to be feasible, then a site for school bus drop-off and pick-up shall be provided internal to the site.

SURROUNDING LAND USE AND ZONING

- North: Amity Road and scattered residential with a zoning designation of Rural Agriculture (A), Naples RV Resort with a zoning designation of (TTRVC), Johns Road, preserve with a zoning designation of Collier Regional Medical Center PUD, and Hacienda Lakes with a zoning designation of MPUD/DRI (Mixed-use and Development of Regional Impact), and a density of 0.78 DUA;
- East: Scattered residential development and a nursery with a zoning designation of (A), and partially developed residential development with a density of 0.78 DUA, and a zoning designation of Hacienda Lakes MPUD/DRI;
- South: Scattered residential development with a zoning designation of (A), a landscape nursery with a zoning designation of (A), Winding Cypress with a zoning designation of PUD, and a density of 1.4 DUA, and Sabal Palm Road.
- West: Lely Resort with a zoning designation of PUD, and a zoning density of 3.10 DUA, and C.R. 951 (Collier Boulevard), scattered residences with a zoning designation of (A), and a landscape nursery with a zoning designation of (A).



AERIAL PHOTO

STAFF ANALYSIS:

Comprehensive Planning: The proposed PDI is consistent with the Future Land Use Element (FLUE) of the Growth Management Plan (GMP).

Transportation Element: Transportation Planning staff has reviewed the petition for compliance with the GMP and the LDC and recommends approval of the request.

CONCURRENT LAND USE APPLICATIONS:

There are two concurrent applications: PL2020000233, Site Development Plan, and PL20210001071, Plat Recording.

PLANNED UNIT DEVELOPMENT INSUBSTANTIAL CHANGE CRITERIA:

There are three types of changes to a PUD Ordinance: Substantial, Insubstantial, and Minor. An insubstantial change includes any change that is not considered a substantial or minor change. An

insubstantial change to an approved PUD Ordinance shall be based upon an evaluation of LDC subsection 10.02.13 E.1.

LDC Section 10.02.13.E.1 Criteria:

a. Is there a proposed change in the boundary of the Planned Unit Development (PUD)?

No, there is no proposed change in the boundary of the PUD.

b. Is there a proposed increase in the total number of dwelling units or intensity of land use or height of buildings within the development?

No, there is no proposed increase in the number of dwelling units or intensity of land use, or height of buildings within the development.

c. Is there a proposed decrease in preservation, conservation, recreation, or open space areas within the development in excess of five (5) percent of the total acreage previously designated as such, or five (5) acres in area?

No, there is no proposed decrease in preservation, conservation, recreation, or open space areas within the development as designated on the approved Master Plan.

d. Is there a proposed increase in the size of areas used for non-residential uses, to include institutional, commercial, and industrial land uses (excluding preservation, conservation, or open space), or a proposed relocation of nonresidential land uses?

No, the requests do not impact the size of non-residential areas or proposed to relocate such areas within the PUD boundary.

e. Is there a substantial increase in the impacts of the development which may include, but are not limited to increases in traffic generation; changes in traffic circulation; or impacts on other public facilities?

No, there are no substantial impacts resulting from this amendment.

f. Will the change result in land use activities that generate a higher level of vehicular traffic based upon the Trip Generation Manual published by the Institute of Transportation Engineers?

The proposed amendment would not result in land use activities that generate higher levels of vehicular traffic based upon the Trip Generation Manual published by the Institute of Transportation Engineers.

g. Will the change result in a requirement for increased stormwater retention, or otherwise increase stormwater discharge?

No, the proposed changes will not impact or increase stormwater retention or increase stormwater discharge.

h. Will the proposed change bring about a relationship to an abutting land use that would be incompatible with an adjacent land use?

No. There will be no incompatible relationships with abutting land uses.

i. Are there any modifications to the PUD Master Plan or PUD document or amendment to a PUD ordinance which is inconsistent with the Future Land Use Element or other elements of the Growth Management Plan or which modification would increase the density of intensity of the permitted land uses?

No. Comprehensive Planning staff determined the proposed changes to the PUD Document would be consistent with the FLUE of the GMP. Transportation planning staff reviewed this petition, and no changes to the PUD Document are proposed that would be deemed inconsistent with the Transportation Element of the GMP. This petition does not propose any increase in density or intensity of the permitted land uses.

j. The proposed change is to a PUD District designated as a Development of Regional Impact (DRI) and approved pursuant to Chapter 380.06, Florida Statutes, where such change requires a determination and public hearing by Collier County pursuant to Sec. 380.06 (19), F.S. Any change that meets the criterion of Sec. 380.06 (19)(e)2., F.S., and any changes to a DRI/PUD Master Plan that clearly do not create a substantial deviation shall be reviewed and approved by Collier County under Section 10.02.13 of the LDC.

Due to the limited nature of this request, a determination and public hearing under F.S. 380.06(19) will not be required.

k. Are there any modifications to the PUD Master Plan or PUD document or amendment to a PUD ordinance which impact(s) any consideration deemed to be a substantial modification as described under Section(s) 10.02.13 E.?

Based on the analysis provided above, the proposed change is not deemed to be substantial.

LDC Section 10.02.13.E.2 Criteria:

Does this petition change the analysis of the findings and criteria used for the original application?

No, the proposed changes do not affect the original analysis and findings for the original application. (See Attachment C-*Rezone Findings and Findings for PUD.*)

NEIGHBORHOOD INFORMATION MEETING (NIM):

The NIM was held on April 29, 2021, at Shepard of the Glades Church, 6020 Rattlesnake Hammock Road, Naples, Florida. For further information, please see Attachment D-*NIM Summary*.

STAFF RECOMMENDATION:

Staff recommends the Hearing Examiner approve Petition PDI-PL20200002165, Rockedge RPUD. Attachment A-*Proposed Language* shall be included in the HEX Decision.

Attachments:

Attachment A-*Proposed Language*
Attachment B-*Ordinance Number 16-03*
Attachment C- *Rezone Findings and Findings for the PUD*
Attachment D-*NIM Summary*
Attachment E-*Application*

Attachment: Staff Report-Rockedge 7-22-21 (17571 : PL20200002165, Rockedge RPUD PDI)

EXHIBIT F

Rockedge Residential Planned Unit Development

DEVELOPMENT COMMITMENTS

PUD MONITORING:

One entity (hereinafter the Managing Entity) shall be responsible for PUD monitoring until close-out of the PUD, and this entity shall also be responsible for satisfying all PUD commitments until close-out of the PUD. At the time of this PUD approval, the Managing Entity is Watermen at Rockedge Naples, LLC or its assigns. Should the Managing Entity desire to transfer the monitoring and commitments to a successor entity, then it must provide a copy of a legally binding document that needs to be approved for legal sufficiency by the County Attorney. After such approval, the Managing Entity will be released of its obligations upon written approval of the transfer by County staff, and the successor entity shall become the Managing Entity. As Owner and Developer sell off tracts, the Managing Entity shall provide written notice to County that includes an acknowledgement of the commitments required by the PUD by the new owner and the new owner's agreement to comply with the Commitments through the Managing Entity, but the Managing Entity shall not be relieved of its responsibility under this Section. When the PUD is closed-out, then the Managing Entity is no longer responsible for the monitoring and fulfillment of PUD commitments.

Commencing with submittal of the first development order that utilizes TDR credits, a TDR calculation sheet shall be submitted documenting that the owner has acquired all TDR credits needed for that portion of the development. The calculation sheet tracks the chronological assignment of TDR credits with respect to all subsequent development orders until the maximum density allowed by the utilization of TDR credits has been reached (all TDR credits allowing residential development reach a zero balance).

TRANSPORTATION:

- A. At the request sole discretion and decision of Collier County, prior to the first Certificate of Occupancy issuance and at no cost to the County, a Collier Area Transit (CAT) bus stop with shelter and associated access pathway will either be installed by the developer or a payment-in-lieu will instead be provided by the developer. at no cost to the County. The payment-in-lieu amount shall be the reasonable cost for the construction of a bus stop with shelter and associated access pathways and shall be first approved by the County Manager or their designee in coordination with CAT. The exact location will be determined during site development plan review; however, every effort shall be made for co- utilization of the CAT stop for a school bus pick-up and drop- off. This shall be coordinated with the Collier County School District. If co- utilization is determined not to be feasible, then a site for school bus drop- off and pick-up shall be provided internal to the site.

ORDINANCE NO. 16- 03

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA AMENDING ORDINANCE NO. 2004-41, AS AMENDED, THE COLLIER COUNTY LAND DEVELOPMENT CODE, WHICH ESTABLISHED THE COMPREHENSIVE ZONING REGULATIONS FOR THE UNINCORPORATED AREA OF COLLIER COUNTY, FLORIDA BY AMENDING THE APPROPRIATE ZONING ATLAS MAP OR MAPS BY CHANGING THE ZONING CLASSIFICATION OF THE HEREIN DESCRIBED REAL PROPERTY FROM THE AGRICULTURAL (A) ZONING DISTRICT AND THE RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD) ZONING DISTRICT TO A RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD) ZONING DISTRICT FOR A 106.44± ACRE PARCEL TO BE KNOWN AS THE ROCKEDGE RPUD TO ALLOW UP TO 266 DWELLING UNITS ON PROPERTY LOCATED NEAR THE NORTHEAST CORNER OF THE INTERSECTION OF SABAL PALM ROAD AND COLLIER BOULEVARD IN SECTION 23, TOWNSHIP 50 SOUTH, RANGE 26 EAST, COLLIER COUNTY, FLORIDA; PROVIDING FOR REPEAL OF ORDINANCE NO. 06-31, THE FORMER ROCKEDGE RESIDENTIAL PLANNED UNIT DEVELOPMENT; AND PROVIDING AN EFFECTIVE DATE. [PETITION PUDR-PL20150002246]

WHEREAS, Patrick Vanasse, AICP of RWA, Inc. and Richard D. Yovanovich, Esquire of COLEMAN YOVANOVICH & KOESTER, P.A. representing Waterman at Rockedge Naples, LLC, (hereinafter “owner” or “developer”) petitioned the Board of County Commissioners to change the zoning classification of the herein described property.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA that:

SECTION ONE: ZONING CHANGE.

The zoning classification of the herein described real property located in Section 23, Township 50 South, Range 26 East, Collier County, Florida is changed from the Agricultural (A) zoning district and the Residential Planned Unit Development (RPUD) zoning district to a Residential Planned Unit Development (RPUD) zoning district for a 106.44± acre parcel to be known as the Rockedge RPUD in accordance with Exhibits A through H attached hereto and

incorporated by reference herein. The appropriate zoning atlas map or maps, as described in Ordinance No. 2004-41, as amended, the Collier County Land Development Code, is/are hereby amended accordingly.

SECTION TWO: REPEAL OF ORDINANCE.

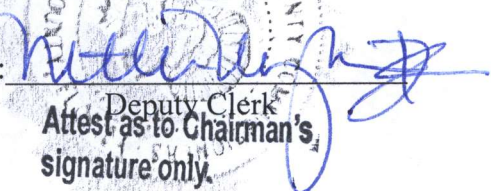
Ordinance No. 06-31 is hereby repealed in its entirety.

SECTION THREE: EFFECTIVE DATE.

This Ordinance shall become effective upon filing with the Department of State.

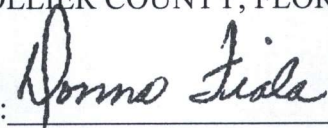
PASSED AND DULY ADOPTED by super-majority vote of the Board of County Commissioners of Collier County, Florida, this 9th day of February, 2016.

ATTEST:
DWIGHT E. BROCK, CLERK

By: 

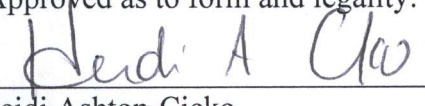
Deputy Clerk
Attest as to Chairman's
signature only

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

By: 

DONNA FIALA, Chairwoman

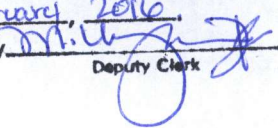
Approved as to form and legality:


Heidi Ashton-Cicko
Managing Assistant County Attorney

1/13/16
HAC

Attachments: Exhibit A – Permitted Uses
Exhibit B – Development Standards
Exhibit C – Master Plan
Exhibit D – Legal Description
Exhibit E – List of Requested Deviations
Exhibit F – List of Developer Commitments
Exhibit G – Archaeological Site Locations
Exhibit H – Typical Section 50' R.O.W.

This ordinance filed with the
Secretary of State's Office the
11th day of February, 2016
and acknowledgement of that
filing received this 11th day
of February, 2016

By: 

Deputy Clerk

EXHIBIT A

Rockedge Planned Unit Development

Regulations for development of the Rockedge Residential Planned Unit Development (RPUD) shall be in accordance with the contents of this RPUD Ordinance and applicable sections of the Land Development Code (LDC) and Growth Management Plan (GMP) in effect at the time of approval of each development order. Where this RPUD Ordinance does not provide development standards, then the provisions of the specific sections of the LDC that are otherwise applicable shall apply.

MAXIMUM DENSITY:

There shall be no more than 266 residential dwelling units permitted on the ± 106.44 gross acres, resulting in a maximum density of 2.5 dwelling units per acre. This PUD allows a base density of 1.5 units per acre or 160 dwelling units, and pursuant to the Urban Residential Fringe Subdistrict provisions of the Growth Management Plan, an additional 106 units are derived from Transfer of Development Rights (TDR).

Redemption of TDR credits shall be per LDC Section 2.03.07.D.4(g).

PERMITTED USES:

No building or structure, or part thereof, shall be erected, altered or used, or land used, in whole or in part, for other than the following:

I. GENERAL PERMITTED USES

Guardhouses, gatehouses, access control structures, clock towers, fences, walls, columns, decorative hardscaping or architectural embellishments associated with the project's entrance features are permitted within the "R" designated area abutting the project's entrance, or within the private roadway as depicted on the PUD Master Plan, and shall have no required setbacks; however, such structures cannot be located where they create vehicular stacking or sight distance issues for motorists and pedestrians, and cannot exceed 35' in actual height.

II. RESIDENTIAL

A. Principal Uses:

1. Single family, detached
2. Single family, attached
3. Single family, zero lot line
4. Townhouse

EXHIBIT A

Rockedge Residential Planned Unit Development

5. Multi-family
6. Temporary model homes
7. Model sales center
8. Any other principal use which is comparable in nature with the foregoing list of permitted principal uses, as determined by the Board of Zoning Appeals ("BZA") or Hearing Examiner, as applicable.

B. Accessory Uses:

1. Accessory uses and structures customarily associated with the permitted principal uses and structures, including, but not limited to swimming pools, spas, screen enclosures, private garages, and other recreational facilities.
2. Gatehouses and other access control structures.
3. Utility and water management facilities
4. Walls, berms, and signs.
5. Project sales, construction and administrative offices that may occur in residential and/or temporary structures.
6. Passive open space uses and structures, such as but not limited to landscaped areas, gazebos, park benches and walking trails.
7. Any other accessory use which is comparable in nature with the foregoing list of permitted accessory uses, as determined by the Board of Zoning Appeals ("BZA") or Hearing Examiner, as applicable.

III. RECREATION AREA

A. Principal Uses:

1. Structures intended to provide social and recreational space for the private use of the residents and their guests.
2. Outdoor recreation facilities, such as a community swimming pool, tennis and basketball courts, playgrounds, pedestrian/bicycle pathways, and water features.

EXHIBIT A

Rockedge Residential Planned Unit Development

3. Passive open space uses and structures, such as but not limited to landscaped areas, gazebos, park benches and walking trails.
4. Any other principal use which is comparable in nature with the foregoing list of permitted principal uses, as determined by the Board of Zoning Appeals ("BZA") or Hearing Examiner, as applicable.

B. Accessory Uses:

1. Community maintenance areas, maintenance structures and community storage areas.
2. Any other accessory use which is comparable in nature with the foregoing list of permitted accessory uses, as determined by the Board of Zoning Appeals ("BZA") or Hearing Examiner, as applicable.

IV. PRESERVE AREA

A. Permitted Uses:

1. Native preserves
2. Uses and structures that will not reduce the native preservation requirements, such as boardwalks, nature trails, gazebos, benches and viewing platforms, subject to approval by the permitting agencies and in accordance with the LDC.
3. Drainage and water management structures that will not reduce the native preservation requirement.
4. Any other conservation use or structure which is comparable in nature with the foregoing list of permitted uses, within a preserve, as determined by the Board of Zoning Appeals ("BZA") or Hearing Examiner, as applicable.
5. Activities in the archaeological areas within the Preserve shall be in accordance with Exhibit F and the LDC.

EXHIBIT B

Rockedge Planned Unit Development

DEVELOPMENT STANDARDS

Exhibit B sets forth the development standards for the RPUD Residential Subdistrict and Recreation Area Subdistrict. Standards not specifically set forth herein shall be those specified in applicable sections of the LDC in effect as of the date of the applicable development order.

DEVELOPMENT STANDARDS	SINGLE FAMILY DETACHED ⁸	SINGLE FAMILY ATTACHED & SINGLE FAMILY ZERO LOT LINE ⁸	DUPLEX & TWO-FAMILY ⁸	TOWNHOUSE	MULTI-FAMILY	RECREATION
PRINCIPAL STRUCTURES						
MINIMUM LOT AREA	4,000 S.F.	3,500 S.F.	3,500 S.F. PER UNIT	1,600 S.F. PER UNIT	N/A	N/A
MIN. LOT WIDTH ¹	40 FEET	35 FEET	35 FEET	16 FEET	N/A	N/A
MIN. FRONT YARD ^{2,3}	15 FEET	15 FEET	15 FEET	15 FEET	15 FEET	15 FEET
MIN. SIDE YARD	5 FEET	0 OR 10 FEET	0 AND 5 FEET	0 AND 5 FEET	10 FEET	½ BH
MIN. REAR YARD ^{6,7}	10 FEET	10 FEET	10 FEET	10 FEET	10 FEET	10 FEET
MIN. PRESERVE SETBACK	25 FEET	25 FEET	25 FEET	25 FEET	25 FEET	25 FEET
MIN. DISTANCE BETWEEN STRUCTURES	10 FEET	10 FEET	0 OR 10 FEET	0 OR 10 FEET	20 FEET	½ sum of the BH
MAX. ZONED BUILDING HEIGHT	35 FEET	35 FEET	35 FEET	35 FEET	45 FEET	35 FEET
MAX. ACTUAL BUILDING HEIGHT	40 FEET	40 FEET	40 FEET	40 FEET	55 FEET	40 FEET
ACCESSORY STRUCTURES						
MIN. FRONT YARD	SPS	SPS	SPS	SPS	SPS	SPS
MIN. SIDE YARD ⁴	SPS	SPS	SPS ⁵	SPS ⁵	SPS	SPS
MIN. REAR YARD ^{6,7}	5 FEET	5 FEET	5 FEET	5 FEET	5 FEET	0 FEET
MIN. PRESERVE SETBACK	10 FEET	10 FEET	10 FEET	10 FEET	10 FEET	10 FEET
MAX. ZONED BUILDING HEIGHT	35 FEET	35 FEET	35 FEET	35 FEET	35 FEET	35 FEET
MAX. ACTUAL BUILDING HEIGHT	40 FEET	40 FEET	40 FEET	40 FEET	40 FEET	40 FEET

BH: Building Height (zoned height)
SPS: Same as Principal Structure

Attachment: Attachment B-Ord. 16-03 (17571 : PL20200002165, Rockedge RPUD PDI)

EXHIBIT B

Rockedge Residential Planned Unit Development

1. The minimum lot width may be reduced by 20% on pie-shaped lots,, provided the minimum lot area requirement shall be maintained.
2. For multi-family product the front yard setbacks shall be measured from back of curb, or edge of pavement if not curbed. For all other unit types, front yard setbacks shall be measured from ROW line. The minimum 15' front yard setback may be reduced to 12' where the unit has a recessed or side-entry garage. Front-loading garages shall be set back a minimum of 23 feet from edge of sidewalk.
3. For corner lots, only 1 front yard setback shall be required. The yard that does not contain the driveway shall provide a minimum 12' setback.
4. The minimum distance between accessory buildings may be reduced to 0' where attached garages are provided. However, the principal structures shall maintain a 10' minimum separation.
5. Accessory pool cage setbacks may be reduced to 0 feet when attached to a common privacy wall.
6. If single family development is pursued through the County's plat process, LMEs and LBEs will be platted as separate tracts.
7. When a lot abuts a lake maintenance easement (LME) or landscape buffer easement (LBE), the minimum rear yard shall be measured from the easement. Otherwise, the minimum rear yard shall be measured from the parcel boundaries.
8. In order to support a canopy tree with a minimum 20-foot crown spread as required in LDC Section 4.06.05, individual lots must accommodate enough space for the entire 20-foot canopy to be located wholly within the lot boundaries, except where the lot is adjacent to a lake maintenance easement and/or landscape buffer easement, in which case, a portion of the required 20-foot canopy may protrude into such area.
9. For the southern boundary of the RA tract excluding the area encumbered by an FPL easement, a 6-foot wall shall be provided in combination with the required 15-foot type B landscape buffer. For the southern boundary of the RA tract encumbered by the FPL easement, a 15-foot type B landscape buffer shall be required to the eastern edge of the paved area of owner's parking lot, subject to FPL approval.

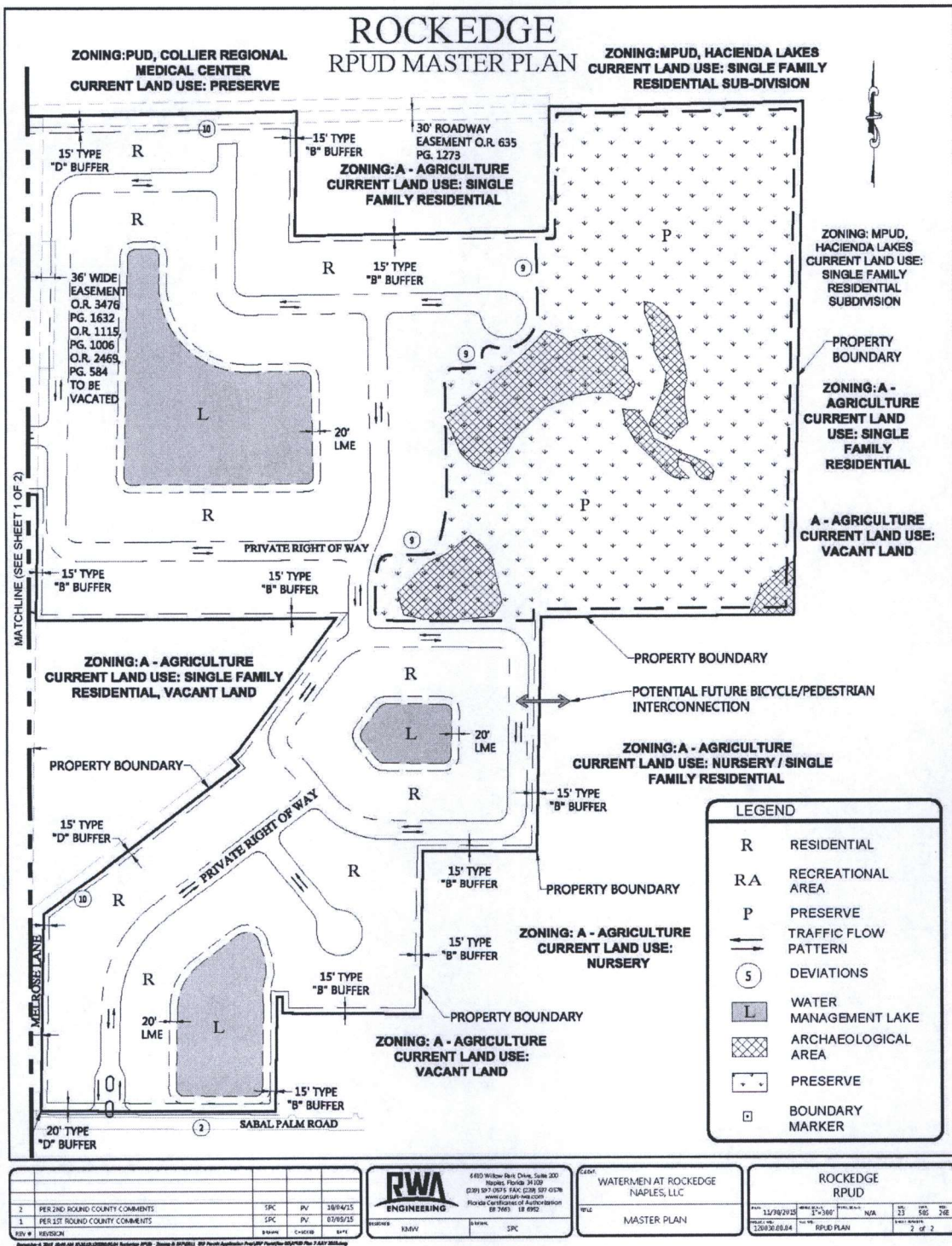
Attachment: Attachment B-Ord. 16-03 (17571 : PL20200002165, Rockedge RPUD PDI)

Rockedge Planned Unit Development



EXHIBIT C

Rockedge Residential Planned Unit Development



Attachment: Attachment B-Ord. 16-03 (17571 : PL20200002165, Rockedge RPUD PDI)

EXHIBIT D**Rockedge Residential Planned Unit Development****LEGAL DESCRIPTION**

A PARCEL OF LAND LYING IN SECTION 23, TOWNSHIP 50 SOUTH, RANGE 26 EAST, COLLIER COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTER OF SECTION 23, TOWNSHIP 50 SOUTH, RANGE 26 EAST, COLLIER COUNTY, FLORIDA; THENCE N89°01'58"E FOR 664.25 FEET ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 23 TO AN INTERSECTION WITH THE WEST LINE OF TRACT "F1" OF THE PLAT OF ESPLANADE AT HACIENDA LAKES AS RECORDED IN PLAT BOOK 55, PAGE 1, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA;

THENCE S01°14'38"W FOR 675.75 FEET ON SAID WEST LINE OF TRACT "F1" TO THE SOUTHWEST CORNER OF SAID TRACT "F1";

THENCE S01°14'14"W ON THE EAST LINE OF THE SOUTHWEST QUARTER (SW-1/4) OF THE NORTHWEST QUARTER (NW-1/4) OF THE SOUTHEAST QUARTER (SE-1/4) OF SAID SECTION 23 FOR 675.73 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE S89°42'08"W ON THE SOUTH LINE OF SAID FRACTION FOR 662.30 FEET TO AN INTERSECTION WITH EAST LINE OF A PARCEL OF LAND AS RECORDED IN OFFICIAL RECORDS BOOK 4466, PAGE 3476, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA;

THENCE THE FOLLOWING FIVE BEARINGS AND DISTANCES ON THE EAST AND SOUTH LINES OF SAID PARCEL:

1. S01°09'56"W FOR 617.91 FEET;
2. N89°34'54"W FOR 300.19 FEET;
3. S01°09'09"W FOR 435.95 FEET;
4. N89°34'09"W FOR 150.16 FEET;
5. N89°38'05"W FOR 210.56 FEET TO AN INTERSECTION WITH THE WEST LINE OF THE EAST HALF (E-1/2) OF THE SOUTHEAST QUARTER (SE-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 23;

THENCE N01°05'19"E ON SAID WEST LINE FOR 43.72 FEET TO AN INTERSECTION WITH THE NORTH LINE OF THE SOUTH HALF (S-1/2) OF THE SOUTHWEST QUARTER (SW-1/4) OF THE SOUTHEAST QUARTER (SE-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 23;

THENCE N89°48'02"W ON SAID NORTH LINE FOR 15.00 FEET TO AN INTERSECTION WITH THE EAST LINE OF PARCEL 1 AS RECORDED IN OFFICIAL RECORDS BOOK 4970, PAGE 3362, SAID PUBLIC RECORDS;

THENCE THE FOLLOWING FOUR BEARINGS AND DISTANCES ON THE SOUTH, WEST AND NORTH LINES OF SAID PARCEL 1:

1. S01°05'19"W ON SAID EAST LINE FOR 303.80 FEET;
2. N89°37'28"W FOR 645.47 FEET;
3. N01°01'07"E FOR 302.01 FEET

EXHIBIT D**Rockedge Residential Planned Unit Development**

4. S89°47'35"E FOR 30.00 FEET TO AN INTERSECTION WITH THE WEST LINE OF SAID PARCEL OF LAND RECORDED IN IN OFFICIAL RECORDS BOOK 4466, PAGE 3476, SAID PUBLIC RECORDS;

THENCE THE FOLLOWING FIVE BEARINGS AND DISTANCES ON THE WEST LINE OF SAID PARCEL:

1. N01°01'01"E FOR 218.98 FEET;

2. N52°35'40"E FOR 646.23 FEET;

3. N40°29'08"W FOR 30.05 FEET;

4. N49°40'54"E FOR 22.10 FEET;

5. THENCE N36°22'15"E FOR 436.44 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF THE NORTHEAST QUARTER (NE-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 23;

THENCE S89°42'08"W ON SAID SOUTH LINE FOR 785.71 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER (NE-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 23;

THENCE N01°01'01"E FOR 332.01 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER (NE-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF THE NORTHWEST QUARTER (NW-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 23;

THENCE S89°32'04"W FOR 994.18 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER (SW-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF THE NORTHWEST QUARTER (NW-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 23;

THENCE S00°54'12"W FOR 329.09 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF THE NORTHWEST QUARTER (NW-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 23;

THENCE N89°42'08"E FOR 331.15 FEET TO THE NORTHEAST CORNER OF THE NORTHEAST QUARTER (NE-1/4) OF THE NORTHWEST QUARTER (NW-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 23;

THENCE S00°56'29"W FOR 660.13 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW-1/4) OF THE NORTHWEST QUARTER (NW-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 23;

THENCE N89°57'42"W FOR 330.68 FEET TO THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER (SW-1/4) OF THE NORTHWEST QUARTER (NW-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 23;

THENCE S00°54'12"W FOR 329.09 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER (NW-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 23;

Attachment: Attachment B-Ord. 16-03 (17571 : PL20200002165, Rockedge RPUD PDI)

EXHIBIT D**Rockedge Residential Planned Unit Development**

THENCE N89°47'35"W ON THE SOUTH LINE OF SAID FRACTION FOR 230.44 FEET TO AN INTERSECTION WITH A LINE 100 FEET EAST OF (AS MEASURED ON A PERPENDICULAR) AND PARALLEL WITH THE WEST LINE OF SAID SECTION 23;
 THENCE N00°51'53"E ON SAID PARALLEL LINE FOR 1642.03 FEET TO AN INTERSECTION WITH THE NORTH LINE OF THE NORTHWEST QUARTER (NW-1/2) OF THE SOUTHWEST QUARTER (SW-1/4) OF THE NORTHWEST QUARTER (NW-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 23;
 THENCE N89°22'01"E FOR 894.88 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER (NE-1/4) OF THE SOUTHEAST QUARTER (SE-1/4) OF THE NORTHWEST QUARTER (NW-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 23;
 THENCE N00°58'45"E FOR 662.08 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST (NE-1/4) OF THE NORTHEAST QUARTER (NE-1/4) OF THE NORTHWEST QUARTER (NW-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 23;
 THENCE N89°01'58"E FOR 996.40 FEET TO THE NORTHWEST CORNER OF THE EAST HALF (E-1/2) OF THE NORTHEAST QUARTER (NE-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 23;
 THENCE S01°05'30"W ON THE WEST LINE OF SAID FRACTION FOR 328.19 FEET TO AN INTERSECTION WITH A LINE 328.19 FEET SOUTH OF (AS MEASURED ON A PERPENDICULAR) AND PARALLEL WITH THE NORTH LINE OF SAID FRACTION;
 THENCE N89°01'53"E ON SAID PARALLEL LINE FOR 663.85 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE EAST HALF (E-1/4) OF THE NORTHEAST QUARTER (NE-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 23;
 THENCE N01°10'38"E ON SAID EAST LINE FOR 328.19 FEET TO THE POINT OF BEGINNING.

LESS THAT PART OF THE ABOVE DESCRIBED PROPERTY CONTAINED IN DEED RECORDED IN O.R. BOOK 321, PAGE 259, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

PARCEL CONTAINS 106.44 ACRES, MORE OR LESS.

BEARINGS HEREINABOVE MENTIONED ARE BASED ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 50 SOUTH, RANGE 26 EAST TO BEAR NORTH 89°01'58" EAST.

Attachment: Attachment B-Ord. 16-03 (17571 : PL20200002165, Rockedge RPUD PDI)

EXHIBIT E

Rockedge Residential Planned Unit Development

LIST OF DEVIATIONS

Deviation #1 seeks relief from LDC, Section 6.06.01.N which requires minimum local street right-of-way width of 60 feet, to allow a 50' right-of-way width for the private internal streets.

Deviation #2 seeks relief from LDC Section 5.03.02.C, which permits a maximum wall height of 6' in residential zoning districts, to allow a maximum wall height of 8' along the perimeter of the project, and allow a 12' tall wall/berm combination where abutting an existing public roadway.

Deviation #3 seeks relief from LDC Section 5.04.06.A.3.e, which allows temporary signs on residentially zoned properties up to 4 square feet in area or 3 feet in height, to allow a temporary banner sign up to a maximum of 32 square feet in area. The temporary banner sign shall be limited to maximum of 90 days per calendar year during season defined as November 1 to April 30. This deviation will remain in force until the project is sold out.

Deviation #4 seeks relief from LDC Section 5.06.02.B.5, which requires on-premises directional signs to be setback a minimum of 10' from edge of roadway, to allow a setback of 5' from the edge of a private roadway/drive aisle.

Deviation #5 seeks relief from LDC Section 5.06.02.B.14, which allows one (1) boundary marker sign or monument structure at each property corner with a sign face no more than 24 square feet, to allow the option of one (1) monument sign along C.R. 951 with a sign face of 64 square feet, rather the two (2) boundary markers that would be allowed per code.

Deviation #6 seeks relief from LDC Section 4.02.04.D.1, which prohibits doors and windows on the zero lot line portion of a dwelling unit, to allow windows.

Deviation #7 seeks relief from LDC Section 6.06.01.J which requires cul-de-sac lengths not to exceed 1,000 feet, to allow 2,500 feet for the one cul-de-sac street identified on the RPUD Master Plan

Deviation #8 seeks relief from LDC Section 5.04.04.B.3.e which limits temporary use permits for model homes to 3 years, to allow a temporary use permit of 5 years without the need to request approval of a Conditional Use petition.

Deviation #9 seeks relief from LDC Section 3.05.07.H.3.a., which requires a minimum 25' preserve setback for all principal structures to allow a 12.5' side yard setback from preserves for principal structures where identified on the RPUD Master Plan. The reduced setback is allowed in combination with a structural buffer as allowed by the SFWMD.

Deviation #10 seeks relief from LDC Section 4.06.02.C.4, which requires a 20' Type D buffer along perimeter boundaries abutting a right-of-way for all developments of 15 acres or more, to allow a 15' Type D buffer adjacent to right-of-ways where identified on the RPUD Master Plan

EXHIBIT F**Rockedge Residential Planned Unit Development
DEVELOPMENT COMMITMENTS****PUD MONITORING:**

One entity (hereinafter the Managing Entity) shall be responsible for PUD monitoring until close-out of the PUD, and this entity shall also be responsible for satisfying all PUD commitments until close-out of the PUD. At the time of this PUD approval, the Managing Entity is Watermen at Rockedge Naples, LLC or its assigns. Should the Managing Entity desire to transfer the monitoring and commitments to a successor entity, then it must provide a copy of a legally binding document that needs to be approved for legal sufficiency by the County Attorney. After such approval, the Managing Entity will be released of its obligations upon written approval of the transfer by County staff, and the successor entity shall become the Managing Entity. As Owner and Developer sell off tracts, the Managing Entity shall provide written notice to County that includes an acknowledgement of the commitments required by the PUD by the new owner and the new owner's agreement to comply with the Commitments through the Managing Entity, but the Managing Entity shall not be relieved of its responsibility under this Section. When the PUD is closed-out, then the Managing Entity is no longer responsible for the monitoring and fulfillment of PUD commitments.

Commencing with submittal of the first development order that utilizes TDR credits, a TDR calculation sheet shall be submitted documenting that the owner has acquired all TDR credits needed for that portion of the development. The calculation sheet tracks the chronological assignment of TDR credits with respect to all subsequent development orders until the maximum density allowed by the utilization of TDR credits has been reached (all TDR credits allowing residential development reach a zero balance).

TRANSPORTATION:

- A. At the request of Collier County, a Collier Area Transit (CAT) bus stop with shelter will be installed by the developer at no cost to the County. The exact location will be determined during site development plan review; however, every effort shall be made for co-utilization of the CAT stop for a school bus pick-up and drop-off. This shall be coordinated with the Collier County School District. If co-utilization is determined not to be feasible, then a site for school bus drop-off and pick-up shall be provided internal to the site.
- B. The owner, and its successors or assigns will be responsible a proportionate share of signalization and intersection improvements at Sabal Palm Road and Collier Boulevard (CR 951), when warranted.
- C. The Rockedge PUD Transportation Impact Study was based on a development scenario of 266 single-family detached units. The total trip generation was estimated in the TIS to be 253 PM peak hour two-way external trips based on ITE trip generation rates. The development scenario of 266 single-family detached units may change. However, the Project's estimated trip generation will not exceed a maximum of 253 PM peak hour two-way external trips.

EXHIBIT F

Rockedge Residential Planned Unit Development

- D. At the time of the first Site Development Plan, at locations where potential future vehicular and/or non-vehicular interconnection/interconnection points are indicated on the PUD Master Plan, owner shall provide vehicular and/or non-vehicular interconnectivity with abutting roadways and between adjoining sites, when feasible. If interconnection efforts are unsuccessful, the owner shall provide, as part of the SDP submittal, all correspondence between the parties involved to sufficiently document efforts to obtain interconnections.

ENVIRONMENTAL:

- A. Project has 81.81 acres of native vegetation. 3.36 acres of non-native area have been included in the native vegetation preserve requirements due to a past clearing violation by previous owners. Native vegetation requirement is based on the 81.81 acres plus the 3.36 acres or 85.17 acres total. 25% of 85.17 results in a preserve requirement of 21.29 acres. The project is preserving 24.2 acres which is more than required.

ARCHAEOLOGICAL:

In 2014, a Phase I cultural resource assessment of the site was conducted by Robert S. Carr, M.S., of the Archeological and Historical Conservancy, Inc. This assessment (A Phase I Cultural Resource Assessment of the Rockedge Parcel, *AHC Technical Report #1024*) is a revised and expanded phase of work that follows a 2003 assessment of a portion of the Rockedge parcel. Seven previously recorded sites (CR726, CR873, CR874, CR875, CR896, CR897, CR898) and two previously unrecorded sites (CR1371, CR1372) were documented. Based on the discovery of CR1371, a small black earth midden, a Phase II assessment was completed and the report (A Phase II Cultural Resource Assessment of Rockedge #2, Site 8CR1371, *AHC Technical Report #1044*). Letters concurring with the findings, results, and recommendations (including Phase III mitigation) of the two reports were received on 12/31/15 and 3/04/15 respectively.

In accordance with the Phase 1 assessment:

- A. Prior to any clearing or grubbing activities within 100 feet of the archaeological preserves labeled "to be preserved" or "designated for Phase 3 mitigation" on the Archaeological Site Locations Map, a temporary construction fence shall be placed around the preserve areas and around the site labeled "designated for Phase 3 mitigation" if that site has not already been mitigated.
- B. Any clearing of exotic vegetation within the archaeological preserve labeled "to be preserved" or "designated for Phase 3 mitigation", if not already mitigated, on the Archaeological Site Locations Map shall be conducted by hand. No mechanical equipment shall be used within the archaeological preserves for clearing or debris removal.
- C. All activities of clearing, grubbing, and subsurface alterations such as digging for utilities ditches, water management lakes, roads and the like that are located within 90 feet of the archaeological preserves labeled "to be preserved" or "designated for Phase 3 mitigation" on the Archaeological Site Locations Map and archaeological sites labeled "not eligible to be preserved" on the Archaeological Site Locations Map shall be subject to archaeological monitoring.

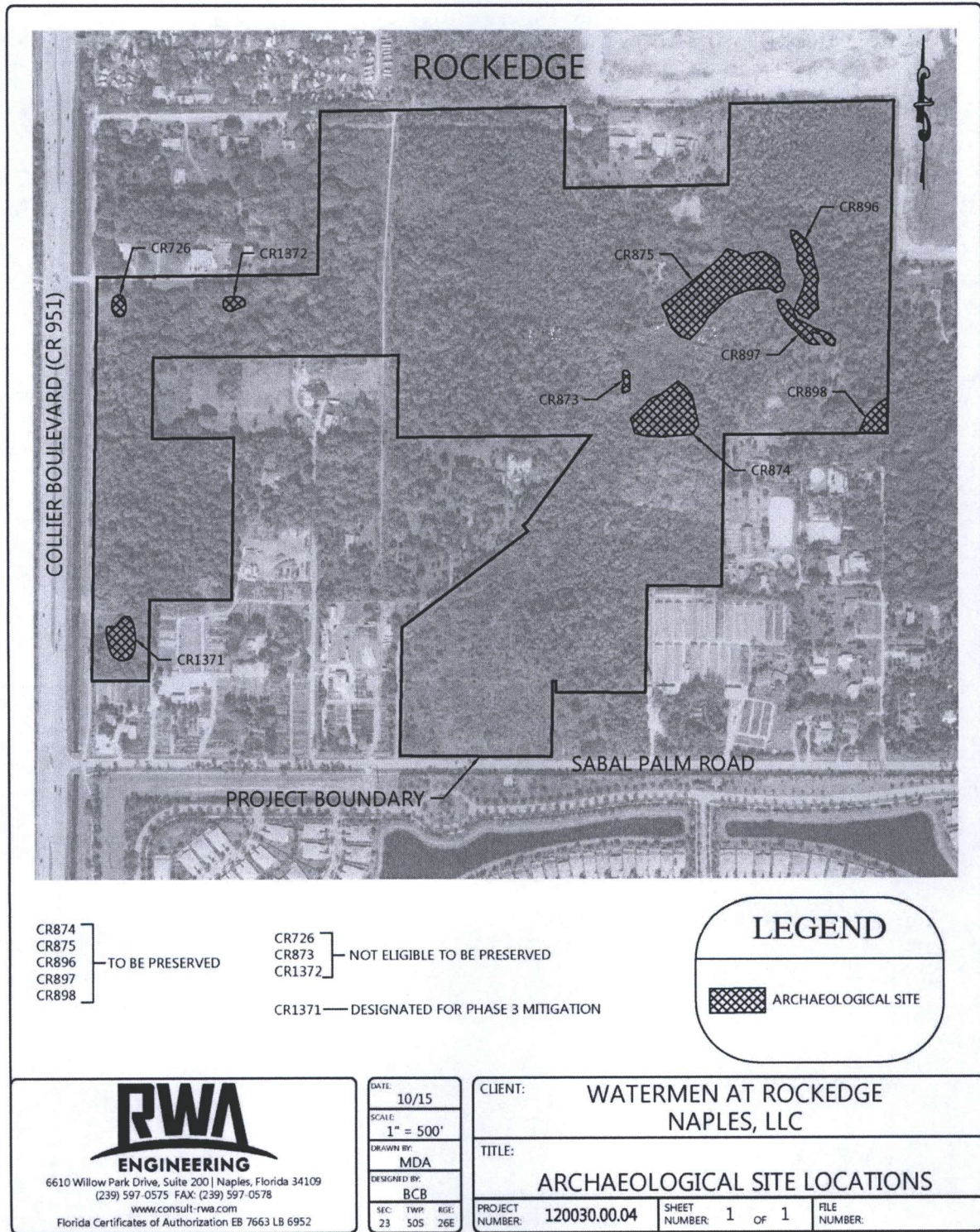
EXHIBIT F**Rockedge Residential Planned Unit Development**

- D. The site plan shows archaeological areas within the preserves labeled “to be preserved” or “designated for Phase 3 mitigation” on the Archaeological Site Locations Map. No storage of fill, equipment or supplies shall be placed in the archaeological areas within the native vegetation preserve.
- E. Should any replanting or landscaping be permitted or required within the archaeological preserves labeled “to be preserved” or “designated for Phase 3 mitigation” on the Archaeological Site Locations Map, such activity shall be coordinated with and monitored by an archaeologist.
- F. If any archaeological features or artifacts are discovered during construction or development activities in the Rockedge RPUD, all development and construction activities shall cease at that location until the site has been examined by an archaeologist and necessary efforts to protect and/or document such resources have been implemented.
- G. If additional human remains are discovered within the Rockedge RPUD, then the provisions of Florida Statutes Section 872.05—laws governing the treatment of unmarked human burials—shall apply.

Attachment: Attachment B-Ord. 16-03 (17571 : PL20200002165, Rockedge RPUD PDI)

EXHIBIT G

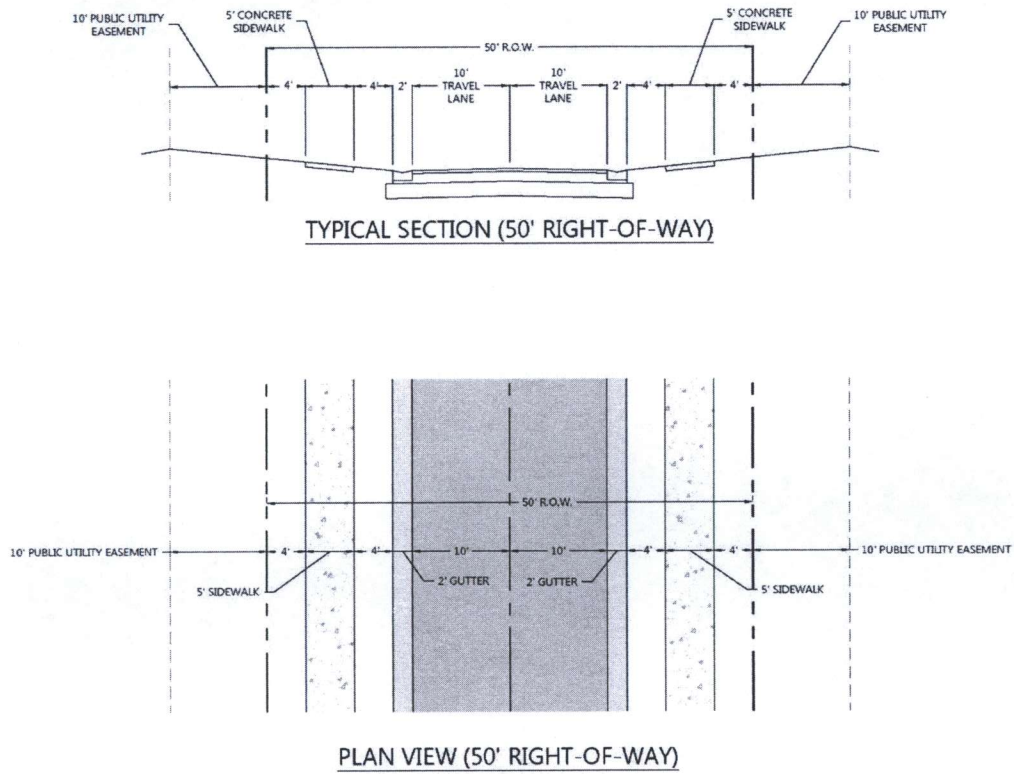
Rockedge Residential Planned Unit Development



Attachment: Attachment B-Ord. 16-03 (17571 : PL20200002165, Rockedge RPUD PDI)

EXHIBIT H

Rockledge Residential Planned Unit Development



REV # REVISION DATE BY				RWA ENGINEERING 6510 Wilshire Park Drive, Suite 300 Naples, Florida 34109 (239) 597-4575 FAX: (239) 597-9578 www.rwaeng.com Florida Certificate of Authorization ES 1603 LB 6160		PROJECT ROCKLEDGE RPUD DATE: 12-5-15 SHEET: 23 OF 24 PROJECT NO: 20020000-04-52 R.O.W. 1 OF 1	
PREPARED BY: BICE DRAWN BY: MDA				COUNTY WATERMEN AT ROCKLEDGE		TITLE TYPICAL 50' R.O.W.	



FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

February 11, 2016

Honorable Dwight E. Brock
Clerk of the Circuit Court
Collier County
Post Office Box 413044
Naples, Florida 34101-3044

Attention: Martha S. Vergara, BMR Senior Clerk

Dear Mr. Brock:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Collier County Ordinance No. 16-03, which was filed in this office on February 11, 2016.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

Attachment: Attachment B-Ord. 16-03 (17571 : PL20200002165, Rockledge RPUD PDI)

REZONE FINDINGS:

LDC Subsection 10.02.08 F. states, “When pertaining to the rezoning of land, the report and recommendations to the planning commission to the Board of County Commissioners...shall show that the planning commission has studied and considered proposed change in relation to the following when applicable.” Additionally, Section 10.02.13 of the Collier County LDC requires the Planning Commission to make findings as to the PUD Master Plans' compliance with the additional criteria as also noted below: Rezone findings are designated as RZ and PUD findings are designated as PUD. (Staff's responses to these criteria are provided in non-bold font):

1. Whether the proposed change will be consistent with the goals, objectives, and policies and future land use map and the elements of the GMP.

The Comprehensive Planning Department has indicated that the proposed PUD amendment is consistent with all applicable elements of the Future Land Use Element (FLUE) of the Growth Management Plan (GMP) with the following conditions:

1. Exhibit C, RPUD Master Plan: An additional Master Plan Note is necessary to clearly indicate that non-vehicular interconnection will be pursued and provided at locations where vehicular interconnection is pursued and will not be provided.

Correct the present labeling near the arrow symbol now appearing at the end of the hammerhead cul-de-sac in the tract adjacent to Collier Boulevard to read, “POTENTIAL FUTURE “INTERCONNECTION”.

2. Exhibit F, Development Commitments: Add language to, at the time of the first Site Development Plan involving interconnectivity, at locations where potential future vehicular and/or non-vehicular interconnection/interconnection points are indicated on the RPUD Master Plan, for providing, to the maximum extent feasible, vehicular and/or non-vehicular interconnectivity with abutting roadways and between adjoining sites. This commitment will indicate that the developer shall provide to staff all correspondence between the parties so as to document efforts to interconnect.

2. The existing land use pattern.

As described in the “Surrounding Land Use and Zoning” portion of this report and discussed in the zoning review analysis, the neighborhood's existing land use pattern can be characterized as residential, undeveloped agriculture, trailer park, and landscape nursery. The residential land uses proposed in this PUD petition should not create incompatibility issues.

3. The possible creation of an isolated district unrelated to adjacent and nearby districts.

The subject parcel is of sufficient size that it will not result in an isolated district unrelated to adjacent and nearby districts.

4. Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.

The district boundaries are logically drawn as discussed in Items 2 and 3 above.

5. Whether changed or changing conditions make the passage of the proposed amendment necessary.

The proposed change is not necessary, *per se*; but it is being requested in compliance with the LDC provisions to seek such changes because the petitioner wishes to add additional land and revise the density and residential use types.

6. Whether the proposed change will adversely influence living conditions in the neighborhood.

The overall density and intensity of residential land uses allowed by the current PUD are not exceeded in the proposed PUD rezone. Staff is of the opinion that the proposed change will not adversely impact the living conditions in the neighborhood.

7. Whether the proposed change will create or excessively increase traffic congestion or create types of traffic deemed incompatible with surrounding land uses, because of peak volumes or projected types of vehicular traffic, including activity during construction phases of the development, or otherwise affect public safety.

The roadway infrastructure has adequate capacity to serve the proposed project. The project's development must also comply with all other applicable concurrency management regulations and operational improvements when development approvals are sought at time of Site Development Plan (SDP) or Subdivision Platting (PPL) review.

8. Whether the proposed change will create a drainage problem.

The proposed development will not create a drainage problem. Furthermore, the project is subject to the requirements of Collier County and the South Florida Water Management District.

9. Whether the proposed change will seriously reduce light and air to adjacent areas.

The proposed change will not seriously reduce light and air to adjacent areas.

10. Whether the proposed change would adversely affect property values in the adjacent area.

Staff is of the opinion this PUD rezone will not adversely impact property values. However, zoning by itself may or may not affect values, since value determination is driven by market value.

11. Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accordance with existing regulations.

Most of the property surrounding the subject site is developed or undergoing construction. The basic premise underlying all of the development standards in the Land Development Code is that their sound application, when combined with the site development plan approval process and/or subdivision process, gives reasonable assurance that a change in zoning will not result in deterrence to improvement or development of adjacent property. Therefore, the proposed zoning change should not be a deterrent to the improvement of adjacent properties.

12. Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare.

The proposed development will comply with the Growth Management Plan which is a public policy statement supporting zoning actions when they are consistent with said Comprehensive Plan. In light of this fact, the proposed change does not constitute a grant of special privilege. Consistency with the FLUE is further determined to be a public welfare relationship because actions consistent with plans are in the public interest.

13. Whether there are substantial reasons why the property cannot be used in accordance with existing zoning.

The subject property can be developed within existing zoning.

14. Whether the change suggested is out of scale with the needs of the neighborhood or the county.

Staff is of the opinion that the proposed PUD rezone is not out of scale with the needs of the neighborhood or county.

15. Whether it is impossible to find other adequate sites in the county for the proposed use in districts already permitting such use.

There may be other sites in the County that could accommodate the uses proposed; however, this is not the determining factor when evaluating the appropriateness of a zoning decision. The petition was reviewed on its own merit for compliance with the GMP and the LDC; and staff does not review other sites in conjunction with a specific petition.

16. The physical characteristics of the property and the degree of site alteration which would be required to make the property usable for any of the range of potential uses under the proposed zoning classification.

Any development anticipated by the PUD document would require site alteration and these sites will undergo evaluation relative to all federal, state, and local development regulations during the building permit process.

17. The impact of development on the availability of adequate public facilities and services consistent with the levels of service adopted in the Collier County GMP and as defined and implemented through the Collier County adequate public facilities ordinance.

The development will have to meet all applicable criteria set forth in the LDC regarding Adequate Public Facilities. The project must also be consistent with all applicable goals and objectives of the GMP regarding adequate public facilities. This petition has been reviewed by county staff that is responsible for jurisdictional elements of the GMP as part of the rezoning process, and that staff has concluded that the developer has provided appropriate commitments so that the impacts of the Level of Service will be minimized.

18. Such other factors, standards, or criteria that the Board of County Commissioners shall deem important in the protection of the public health, safety and welfare.

To be determined by the BCC during its advertised public hearing.

PUD FINDINGS:

LDC Subsection 10.02.13.B.5 states that, “In support of its recommendation, the Planning Commission shall make findings as to the PUD Master Plan’s compliance with the following criteria:”

1. The suitability of the area for the type and pattern of development proposed in relation to physical characteristics of the land, surrounding areas, traffic and access, drainage, sewer, water, and other utilities.

The nearby area is developed or is approved for development of a similar nature. The petitioner will be required to comply with all county regulations regarding drainage, sewer, water and other utilities.

2. Adequacy of evidence of unified control and suitability of any proposed agreements, contract, or other instruments, or for amendments in those proposed, particularly as they may relate to arrangements or provisions to be made for the continuing operation and maintenance of such areas and facilities that are not to be provided or maintained at public expense.

Documents submitted with the application, which were reviewed by the County Attorney’s Office, demonstrate unified control of the property. Additionally, the development will be required to gain platting and/or site development plan approval. These processes will ensure that appropriate stipulations for the provision of, continuing operation of, and maintenance of infrastructure will be provided by the developer.

3. Conformity of the proposed Planned Unit Development with the goals, objectives and policies of the GMP.

County Staff has reviewed this petition and has offered an analysis of the relevant goals, objectives and policies of the GMP within the GMP discussion of this staff report. Based on that analysis, staff is of the opinion that this petition can be found consistent with the overall GMP.

4. The internal and external compatibility of proposed uses, which conditions may include restrictions on location of improvements, restrictions on design, and buffering and screening requirements.

The currently approved development, landscaping and buffering standards were determined to be compatible with the adjacent uses and with the use mixture within the project itself when the PUD was approved.

5. The adequacy of usable open space areas in existence and as proposed to serve the development.

The existing open space set aside for this project meets the minimum requirement of the LDC.

6. The timing or sequence of development for the purpose of assuring the adequacy of available improvements and facilities, both public and private.

The roadway infrastructure has adequate capacity to serve the proposed project at this time, i.e., GMP consistent at the time of rezoning as evaluated as part of the GMP Transportation Element consistency review. The project's development must also comply with all other applicable concurrency management regulations and operational improvements when development approvals are sought at time of Site Development Plan (SDP) review.

7. The ability of the subject property and of surrounding areas to accommodate expansion.

If "ability" implies supporting infrastructure such as wastewater disposal system, potable water supplies, characteristics of the property relative to hazards, and capacity of roads, then the subject property does have the ability to support expansion.

8. Conformity with PUD regulations, or as to desirable modifications of such regulations in the particular case, based on determination that such modifications are justified as meeting public purposes to a degree at least equivalent to literal application of such regulations.

Not applicable. As previously stated, the changes are to add additional land and an access road into the PUD boundary.



MEMORANDUM

DATE: April 30, 2021

TO: Nancy Gundlach, AICP, PLA, Principal Planner
Collier County – Growth Management Department: Zoning Services

FROM: Kenrick S. Gallander, AICP
Director of Planning
RWA Engineering 

PROJECT NAME: Tamarindo PDI CAT Stop – (PL#: 20200002165)

SUBJECT: Neighborhood Information Meeting – Summary

A Neighborhood Information Meeting (NIM) was held on April 29, 2021, at 5:30pm at the Shepherd of the Glades Church, 6020 Rattlesnake Hammock Rd., Naples, FL 34112.

Attendees are as follows:

- Kenrick Gallander, Director of Planning – RWA Engineering
- Blake Finnegan, Associate Planner – RWA Engineering
- John Williams, Vice President – RWA Engineering
- Nancy Gundlach, Principal Planner – Collier County
- Please refer to the attached Sign-In Sheet and NIM ZOOM Reservation Tracker Sheet for all other attendees.

Intro Summary (Started at 5:30 p.m.):

Mr. Gallander began the meeting introducing himself with RWA Engineering, agent for the applicant/landowner and James Ratz from Forestar Inc, representing the Landowner. Due to the meeting being done virtually as well, he ensured those attending via Zoom could hear and see the meeting online. Once confirmed, Mr. Gallander proceeded to outline the meeting, which would include a brief presentation and following the presentation would have time for questions and answers.

6610 Willow Park Drive, Suite 200, Naples, Florida 34109 • (239) 597-0575, fax: (239) 597-0578 • www.consult-rwa.com

The presentation included a description of the subject property location and details of the property. Mr. Gallander went on to further detail and explain the existing conditions relevant to this request currently under review by Collier County. Mr. Gallander detailed the challenges and opportunities related to the CAT stop installation due to location of the stop next to a canal and minimal land area to work with to provide adequate access to the public. Finally, Mr. Gallander reviewed the request entailing amending the existing transportation commitment to provide a payment in lieu option for the developer to make to the county in order to utilize the funds in the future based on agreed upon location and design for the CAT stop and as they see fit and at the appropriate time. The next steps regarding the review process and public hearings in the future specific to this request were then outlined.

Then Mr. Gallander concluded the presentation and then opened the floor for questions/comments/input from those in attendance.

Questions/Comments asked or offered at the meeting:

Q/C: What kind of homes are they?

A: Single family detached.

Q/C: How many homes are they building?

A: They are allowed up to 266 dwelling units.

Q/C: Where on the map will the homes go?

A: You can see on the map, everything within the black line is where the homes will be placed.

Q/C: Will the landscaping business stay?

A: Yes.

Q/C: How much will the homes be?

A: I do not know exactly. I am sure they will be priced according to the market.

Q/C: When do they plan to start construction?

A: Towards November or December.

The meeting adjourned at approximately 5:54 p.m.



February 25, 2021

Intake Department
 Growth Management Division, Planning and Regulation
 2800 North Horseshoe Drive
 Naples, FL 34104

Subject: Rockedge RPUD – Tamarindo (PDI) – *Submittal #1*
Insubstantial Change to a PUD Application
PL20200002165

Intake Team:

RWA, Inc. is pleased to submit, on behalf of our client and applicant, Forestar (USA) Real Estate Group, Inc., this Insubstantial Change to a PUD (PDI) application for the Rockedge RPUD. The PDI petition is requesting the following:

1. Amend the language of Ordinance No. 16-03, PUD Exhibit F, Transportation commitment “A.”

The following items are included pursuant to the pre-application meeting checklist and are submitted electronically:

01. PDI Application with
 - a. Folio Number Attachment
02. Pre-Application Meeting Notes
03. Project Narrative and Detail of Request
04. Current Master Plan
05. Revised Master Plan (Waived per 02-05-2021 Email)
06. Revised Text Exhibit
07. PUD document with changes crossed through and underlined
08. PUD document as revised with amended Title Page with Ordinance #
09. Warranty Deeds
10. List identifying Owner & all parties of corporation
11. Affidavit of Authorization
12. Addressing Checklist
13. Property Ownership Disclosure Form
14. Location Map

Page 1

6610 Willow Park Drive Suite 200 Naples, FL 34109 | (239) 597-0575 | Fax (239) 597-0578
www.consult-rwa.com

- Review Fee - PDI Review fees will be paid upon receipt of Payment Slip

We look forward to your review and are available to answer questions related to this petition.

Sincerely,
RWA, Inc.



Kenrick S. Gallander, AICP
Director of Planning

Attachment: Attachment E-Application 7-27-21 (17571 : PL20200002165, Rockledge RPUD PDI)



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INSUBSTANTIAL CHANGE TO A PUD (PDI)

LDC subsection 10.02.13 E & Code of Laws section 2-83 – 2-90
Ch. 3 G.3 of the Administrative Code

Pursuant to LDC subsection 10.02.13 E.2, a PUD insubstantial change includes any change that is not considered a substantial or a minor change. A PUD insubstantial change to an approved PUD ordinance shall be based upon an evaluation of LDC subsection 10.02.13 E.1 and shall require the review and approval of the Hearing Examiner. The Hearing Examiner's approval shall be based on the findings and criteria used for the original application.

PETITION NO
PROJECT NAME
DATE PROCESSED

To be completed by staff

APPLICANT CONTACT INFORMATION

Name of Property Owner(s): Forestar (USA) Real Estate Group Inc.

Name of Applicant if different than owner: _____

Address: 4042 Park Oaks Blvd., Suite 200 City: Tampa State: FL ZIP: 33610

Telephone: _____ Cell: _____ Fax: _____

E-Mail Address: _____

Name of Agent: Kenrick S. Gallander. AICP

Firm: RWA, Inc

Address: 6610 Willow Park Dr City: Naples State: FL ZIP: 34109

Telephone: 239-597-0575 Cell: _____ Fax: _____

E-Mail Address: kgallander@consult-rwa.com

DETAIL OF REQUEST

On a separate sheet, attached to the application, describe the insubstantial change request. Identify how the request does not meet the PUD substantial change criteria established in LDC subsection 10.02.13 E.1.



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PROPERTY INFORMATION

PUD NAME: The Rockedge RPUD ORDINANCE NUMBER: 16-03
FOLIO NUMBER(S): PLEASE SEE ATTACHED

Provide a legal (if PUD is recorded) or graphic description of area of amendment (this may be graphically illustrated on Amended PUD Master Plan). If applying for a portion of the PUD, provide a legal description for subject portion.

Attach on a separate sheet, a written description of the map or text change.

Does amendment comply with the Growth Management Plan? ☒ Yes ☐ No

If no, please explain: _____

Has a public hearing been held on this property within the last year? ☒ Yes ☐ No

If yes, in whose name? Kenrick S. Gallander, of RWA, Inc., on behalf of Forestar (USA) Real Estate Group, Inc.

Has any portion of the PUD been ☐ SOLD and/or ☐ DEVELOPED?

Are any changes proposed for the area sold and/or developed? ☐ Yes ☒ No

If yes, please describe on an attached separate sheet.

Attachment: Attachment E-Application 7-27-21 (17571 : PL20200002165, Rockedge RPUD PDI)



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**Pre-Application Meeting and Final Submittal Requirement Checklist for:
PUD Insubstantial Change
Chapter 3 G.3 of the Administrative Code**

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

REQUIREMENTS FOR REVIEW	# OF COPIES	REQUIRED	NOT REQUIRED
Completed Application (download current form from County website)	1	☒	☐
Pre-Application Meeting notes	1	☒	☐
Project Narrative, including a detailed description of proposed changes and why amendment is necessary	1	☒	☐
Detail of request	1	☒	☐
Current Master Plan & 1 Reduced Copy	1	☒	☐
Revised Master Plan & 1 Reduced Copy	1	☐	☒
Revised Text and any exhibits	☐	☒	☐
PUD document with changes crossed through & underlined	☐	☒	☐
PUD document as revised with amended Title Page with Ordinance #	☐	☒	☐
Warranty Deed	☐	☒	☐
Legal Description	1	☐	☒
Boundary survey, if boundary of original PUD is amended	☐	☐	☒
If PUD is platted, include plat book pages	☐	☐	☒
List identifying Owner & all parties of corporation	1	☒	☐
Affidavit of Authorization, signed & notarized	1	☒	☐
Completed Addressing Checklist	1	☒	☐
Property Ownership Disclosure Form	1	☒	☐
Copy of 8 ½ in. x 11 in. graphic location map of site	1	☒	☐
Electronic copy of all documents and plans *Please advise: The Office of the Hearing Examiner requires all materials to be submitted electronically in PDF format.	☐	☒	☐
*If located in Immokalee or seeking affordable housing, include an additional set of each submittal requirement.			

ADDITIONAL REQUIREMENTS FOR THE PUBLIC HEARING PROCESS:

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

X

Attachment: Attachment E-Application 7-27-21 (17571 : PL20200002165, Rockledge RPUD PDI)



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

☒	School District (Residential Components): Amy Lockheart	☐	Bayshore/Gateway Triangle Redevelopment: Executive Director
☐	Utilities Engineering: Eric Fey	☐	Parks and Recreation: Barry Williams and David Berra
☐	Emergency Management: Dan Summers	☐	Naples Airport Authority:
☐	Conservancy of SWFL: Nichole Johnson	☐	Other:
☐	City of Naples: Robin Singer, Planning Director	☐	Other:

FEE REQUIREMENTS

- ☒ **PUD Amendment Insubstantial (PDI):** \$1,500.00
- ☒ **Pre-Application Meeting:** \$500.00 PAID Receipt #2020788616
- ☒ **Estimated Legal Advertising fee for the Office of the Hearing Examiner:** \$1,125.00
Same fee applies if the petition is referred to the Collier County Planning Commission, where the CCPC serves as the deciding authority instead of the HEX.

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

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

All checks payable to: Board of County Commissioners.

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

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

Kenrick Gallander

Digitally signed by Kenrick
Gallander
Date: 2021.02.26 12:05:26 -05'00'

02-25-2021

Agent/Owner Signature

Date

Kenrick Gallander

Applicant/Owner Name (please print)



The Rockedge RPUD (aka Tamarindo)
Insubstantial Change to A PUD (PDI)
FOLIO NUMBERS

1. 00433040006
2. 00433120007
3. 00433160009
4. 00433480006
5. 00433800000
6. 00433880004
7. 00434840001
8. 00435400000
9. 00436360000
10. 00436440001
11. 00436520002
12. 00436600003
13. 00436760008
14. 00436800104
15. 00436800201
16. 00436800308

Attachment: Attachment E-Application 7-27-21 (17571 : PL20200002165, Rockedge RPUD PDI)



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Pre-Application Meeting Notes

Petition Type: PDI

Date and Time: Tuesday 11/17/2020 - 3:00 PM

Assigned Planner: Nancy Gundlach

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

Project Information

Project Name: Rockedge RPUD-Tamarindo (PDI)

PL #: 20200002165

Property ID #: 436800104, 436800308 Current Zoning: RPUD

Project Address: _____ City: Naples State: FL Zip: _____

Applicant: Kenrick Gallander RWA, Inc.

Agent Name: Kenrick Gallander RWA, Inc. Phone: 239-597-0575

Agent/Firm Address: 610 Willow Park Dr. STE 200 City: Naples State: FL Zip: 34109

Property Owner: Forestar USA Real estate Group Inc. Suite 200

Please provide the following, if applicable:

- i. Total Acreage: 10
- 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#: _____



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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>.

simple request: change to PUB Exhibit F,
transportation commitment A.
- worked w/ Matt Mullan, conditional
language to delay to 1st C.O.
- will work w/ all stakeholders
- met w/ CAT, Big Cypress, Trans-
portation
- wishes to seek a payment-in-lieu
- will work out language, potential
cost (payment-in-lieu)
Agent has spoken to CAT.

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.



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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>.

Comp Planning: The subject site is designated Urban, Urban Mixed Use District, Urban Residential Fringe Subdistrict on the Future Land Use Map of the Growth Management Plan. The subject site is currently zoned Rockledge RPUD. The applicant wishes to amend a Transportation Commitment to allow for a payment in lieu option to address the CAT bus shelter requirement. The GMP does not speak to amending a transportation commitment; therefore, Comp Planning does not have any concern with amending the PUD.

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.

Meeting Notes



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Meeting Notes

ENVIRONMENTAL - N/A Per CRAIG BROWN

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.



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Pre-Application Meeting Sign-In Sheet
PL# 20200002165

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



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☐ 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
John Williams	RWA	260-4793	KGALLANDER@CONSULT-RWA.COM
Ken Gallander	RWA		
Mike Cannon			



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

PL20200002165 – Rockedge RPUD Tamarindo (PDI) (PDI) - PRE-APP INFO – Nancy Gundlach

Assigned Ops Staff: Thomas Clarke
Jeremy Frantz-Ops Staff)

STAFF FORM FOR SUPPLEMENTAL PRE-APPLICATION MEETING INFORMATION

- Name and Number of who submitted pre-app request
 - Name: Kenrick Gallander
 - Phone #: 239-597-0575
- Agent to list for PL#
 - Agent: Kenrick Gallander
- Owner of property (all owners for all parcels)
 - Owner of property: Forestar
- Confirm Purpose of Pre-App: (Rezone, etc.)
 - Amendment to RPUD (PDI)
- Please include any Surveys, Drawings or Plans for the petition:
- Details about Project:
 - Seeking approval of an Insubstantial Change to the Rockedge RPUD (aka Tamarindo) Development Commitment – Transportation “A” allowing for a “payment in lieu” option in order to satisfy the desired Collier Area Transit (CAT) bus stop and shelter associated with the project.

REQUIRED Supplemental Information provided by:

Name: Kenrick Gallander

Title: Director of Planning

Email: kgallander@consult-rwa.com

Phone: 239-597-0575

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





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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



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

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

Name and Address	% of Ownership

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

Name and Address	% of Ownership

Date of Contract: _____

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

Name and Address

- g. Date subject property acquired _____

☐ Leased: Term of lease _____ years /months

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



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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

Agent/Owner Name (please print)



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(239) 252-2400 FAX: (239) 252-6358

**Pre-Application Meeting and Final Submittal Requirement Checklist for:
PUD Insubstantial Change
Chapter 3 G.3 of the Administrative Code**

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

REQUIREMENTS FOR REVIEW	# OF COPIES	REQUIRED	NOT REQUIRED
Completed Application (download current form from County website)	1	☒	
Pre-Application Meeting notes	1	☐	☐
Project Narrative, including a detailed description of proposed changes and why amendment is necessary	1	☒	☐
Detail of request	1	☒	
Current Master Plan & 1 Reduced Copy	1	☒	
Revised Master Plan & 1 Reduced Copy	1	☒	
Revised Text and any exhibits	☐	☒	☐
PUD document with changes crossed through & underlined	☐	☒	☐
PUD document as revised with amended Title Page with Ordinance #	☐	☒	☐
Warranty Deed	☐	☒	☐
Legal Description	1		☒
Boundary survey, if boundary of original PUD is amended	☐	☒	☒
If PUD is platted, include plat book pages	☐	☒	☒
List identifying Owner & all parties of corporation	1	☒	☐
<u>Affidavit of Authorization, signed & notarized</u>	1	☒	
<u>Completed Addressing Checklist</u>	1	☒	
<u>Property Ownership Disclosure Form</u>	1	☒	
Copy of 8 ½ in. x 11 in. graphic location map of site	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.	☐	☒	☐
*If located in Immokalee or seeking affordable housing, include an additional set of each submittal requirement.			

ADDITIONAL REQUIREMENTS FOR THE PUBLIC HEARING PROCESS:

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

Attachment: Attachment E-Application 7-27-21 (17571 : PL20200002165, Rockledge RPUD PDI)



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NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

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

☒	School District (Residential Components): Amy Lockheart	☐	Bayshore/Gateway Triangle Redevelopment: Executive Director
☐	Utilities Engineering: Eric Fey	☐	Parks and Recreation: Barry Williams and David Berra
☐	Emergency Management: Dan Summers	☐	Naples Airport Authority:
☐	Conservancy of SWFL: Nichole Johnson	☐	Other:
☐	City of Naples: Robin Singer, Planning Director	☐	Other:

FEE REQUIREMENTS

- ☒ PUD Amendment Insubstantial (PDI): \$1,500.00
- ☒ Pre-Application Meeting: \$500.00
- ☒ Estimated Legal Advertising fee for the Office of the Hearing Examiner: \$1,125.00
Same fee applies if the petition is referred to the Collier County Planning Commission, where the CCPC serves as the deciding authority instead of the HEX.

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

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

All checks payable to: Board of County Commissioners.

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

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

Agent/Owner Signature

Date

Applicant/Owner Name (please print)



The Rockedge RPUD (aka Tamarindo)

Insubstantial Change to a PUD (PDI)

Project Narrative and Detail of Request

February 23, 2021

Background:

This is a proposed amendment utilizing the PUD Insubstantial Change (PDI) Application process to the existing Rockedge RPUD approved February 9, 2016, through Ordinance No. 16-03. The existing RPUD allows a maximum of 266 dwelling units on 106.44± acres. Key development approvals associated with the property are as follows:

- PL20180003043 (Rockedge PPL)

The overall subject property remains undeveloped with initial construction activity commencing and is generally located northeast of the intersection of County Road 951 (Collier Blvd.) and Sabal Palm Road in Section 23, Township 50 South, Range 26 East, Collier County.

Per Ordinance No. 16-03, PUD Exhibit F, Transportation commitment “A”, states,

“At the request of Collier County, a Collier Area Transit (CAT) bus stop with shelter will be installed by the developer at no cost to the County. The exact location will be determined during site development plan review; however, every effort shall be made for co-utilization of the CAT stop for a school bus pick-up and drop-off. This shall be coordinated with the Collier County School District. If co-utilization is determined not to be feasible, then a site for school bus drop-off and pick-up shall be provided internal to the site.”

An existing CAT stop, #18, is located approximately 200 feet south of the intersection of Collier Blvd. and Sabal Palm Rd (See Attachment A). This existing stop does not provide an accessible route from the existing pedestrian pathway and does not provide any shelter or supporting infrastructure (seating, trash receptables, bike racks, etc.). To the east of the existing stop and west of the existing pedestrian pathway lies a stormwater management canal managed and maintained by the South Florida Water Management District’s (SFWMD) Big Cypress Basin.

During the Plans and Plat (PPL) review under Application Number PL20180003043, it became apparent that the ability to meet all the requirements of the CAT Stop development commitment was not going to

Revised: June 2, 2021

Page 1

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be achievable. To appropriately fund and construct the typical CAT bus stop along Collier Blvd. is significantly impacted due to land area limitations associated with the Big Cypress Basin canal right-of-way, Collier Blvd right-of-way, and safety/design concerns raised by Collier County Transportation Operations' staff and CAT staff. Acknowledging these construction and economic factors, Collier County development review staff was understanding of these limitations and amenable to working with the applicant. The PPL approval stipulated that a CAT bus stop and shelter shall be located in the vicinity of the intersection of Sabal Palm Rd., and Collier Blvd, prior to the first CO within the Tamarindo development. This stipulation provides the applicant the opportunity to further coordinate with all stakeholders involved and to work through opportunities to ensure the purpose and intent of the PUD Transportation Commitment "A" is met.

Further coordination with key stakeholders over the last few months has helped to identify two potential locations for the CAT bus in the vicinity of the Sabal Palm Road and Collier Boulevard intersection. However, with no firm agreed upon location and detailed construction plans yet to be finalized, the property owner/applicant is seeking to amend the language of Ordinance No. 16-03, PUD Exhibit F, Transportation commitment "A." The proposed amended language provides an opportunity for a payment-in-lieu option to help ensure the CAT bus stop and shelter are provided for in the future based on a finalized agreed upon location and design by all key stakeholders. This option further allows for the flexibility needed to ensure the CAT bus stop and shelter is constructed according to the County's and/or CAT's scheduled needs either through the County's Capital Improvements Program (CIP) or other governmental entity's adopted five-year program.

Request:

Based on the above background, this PDI petition is requested to address the following modification to the existing Ordinance No. 16-03, PUD Exhibit F, Transportation commitment "A":

- At the request sole discretion and decision of Collier County, prior to the first Certificate of Occupancy issuance and at no cost to the County, a Collier Area Transit (CAT) bus stop with shelter and associated access pathway will either be installed by the developer or a payment-in-lieu will instead be provided by the developer. at no cost to the County. The payment-in-lieu amount shall be the reasonable cost for the construction of a bus stop with shelter and associated access pathways and shall be first approved by the County Manager or their designee in coordination with CAT. The exact location will be determined during site development plan review; however, every effort shall be made for co- utilization of the CAT stop for a school bus pick-up and drop- off. This shall be coordinated with the Collier County School District. If co- utilization is determined not to



be feasible, then a site for school bus drop- off and pick-up shall be provided internal to the site.

LDC Section 10.02.13.E.1 Compliance:

The following analysis identifies that the proposed request does not meet the PUD substantial change criteria per LDC Section 10.02.13.E.1:

- a. A proposed change in the boundary of the PUD;*

The PUD boundary has not changed.

- b. A proposed increase in the total number of dwelling units or intensity of land use or height of buildings within the development;*

There is no increase in the total number of existing approved dwelling units (266).

- c. A proposed decrease in preservation, conservation, recreation or open space areas within the development not to exceed 5 percent of the total acreage previously designated as such, or 5 acres in area;*

There is no decrease by more than 5 percent or 5 acres in area for the preservation, conservation, recreation or open space areas as the requested change does not affect or impact these aspects of the proposed development.

- d. A proposed increase in the size of areas used for nonresidential uses, to include institutional, commercial and industrial land uses (excluding preservation, conservation or open spaces), or a proposed relocation of nonresidential land uses;*

There are no proposed changes to nonresidential uses within the Rockledge RPUD.

- e. A substantial increase in the impacts of the development which may include, but are not limited to, increases in traffic generation; changes in traffic circulation; or impacts on other public facilities;*

There is no increase in the impacts of the proposed development. Density and unit count (266 dwelling units) remain consistent per Ordinance No. 16-03.



- f. *A change that will result in land use activities that generate a higher level of vehicular traffic based upon the Trip Generation Manual published by the Institute of Transportation Engineers;*

No change is proposed that will result in land use activities that generate a higher level of vehicular traffic. The land use activities proposed remain consistent with those per approved under Ordinance No. 16-03.

- g. *A change that will result in a requirement for increased stormwater retention, or will otherwise increase stormwater discharges;*

Based on the conceptual nature of the master plan and the proposed text change, there is no result in the requirement for increased stormwater retention or increased stormwater discharge.

- h. *A change that will bring about a relationship to an abutting land use that would be incompatible with an adjacent land use;*

There is no change proposed that will bring about a relationship to an abutting land use that would be incompatible.

- i. *Any modification to the PUD master plan or PUD document or amendment to a PUD ordinance which is inconsistent with the Future Land Use Element or other element of the Growth Management Plan or which modification would increase the density or intensity of the permitted land uses;*

The proposed amendment to the PUD document or ordinance specific to the transportation commitment will not increase the approved density of 2.5 units per acre. The number of proposed dwelling units remains the same at 266 units for the 106.44+/- acre property, which equates to 2.5 units per acre.

The proposed text change to the PUD document specific to the transportation commitment is consistent with the Growth Management Plan (GMP). The proposed residential planned unit development (RPUD) remains compatible and complementary to existing and future surrounding land uses as required in Policy 5.6 of the Growth Management Plan's (GMP) Future Land Use Element (FLUE). Compatibility is achieved through maintaining the proposed



residential land uses, the placement of land use buffers, and the proposed development standards as currently approved.

- j. *The proposed change is to a PUD district designated as a development of regional impact (DRI) and approved pursuant to F.S. § 380.06, where such change requires a determination and public hearing by Collier County pursuant to F.S. § 380.06(19). Any change that meets the criterion of F.S. § 380.06(19)(e)2, and any changes to a DRI/PUD master plan that clearly do not create a substantial deviation shall be reviewed and approved by Collier County under this LDC [section 10.02.13](#); or*

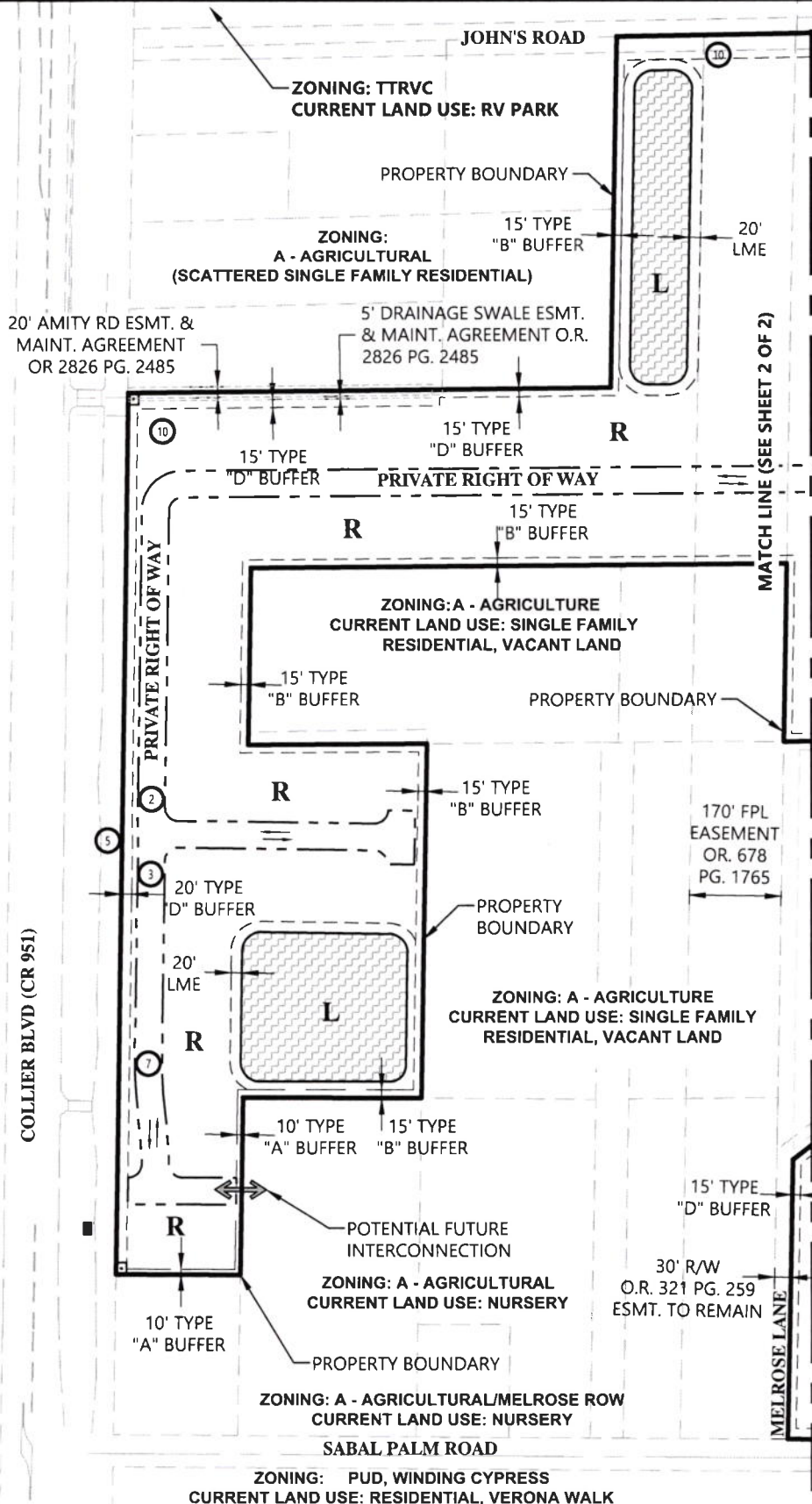
This criterion is not applicable as the Rockledge RPUD is not a “development of regional impact (DRI) and approved pursuant to F.S. § 380.06., and the proposed modifications/amendment do not meet the criterion of F.S. § 380.06(19)(e)2.

- k. *Any modification in the PUD master plan or PUD document or amendment to a PUD ordinance which impact(s) any consideration deemed to be a substantial modification as described under this LDC [section 10.02.13](#).*

Based on the analysis of the criteria described above that establishes “substantial modification” per LDC Section 10.02.13.E.1, there is no modification proposed that is deemed substantial.

ZONING: PUD, LELY RESORT
CURRENT LAND USE: RESIDENTIAL

COLLIER BLVD (CR 951)



LEGEND

R

RESIDENTIAL

RA

RECREATIONAL AREA

P

PRESERVE

→

TRAFFIC FLOW PATTERN

5

DEVIATIONS

L

WATER MGMT LAKE

X

ARCHEOLOGICAL AREA

□

PRESERVE/CONSERVATION EASEMENT AREA

+

BOUNDARY MARKER

LAND USE SUMMARY

TRACT	LAND USE	ACRES
TRACT "R"	RESIDENTIAL	58.12 ±
TRACT "RA"	RECREATIONAL AREA	2.33 ±
TRACT "L"	LAKE / WATER MANAGEMENT AREA	9.30 ±
	RIGHT OF WAY/ ACCESS DRIVE	12.49 ±
TRACT "P"	PRESERVE AREA	24.20 ±
	TOTAL AREA	106.44 ±

MAXIMUM DENSITY:

266 RESIDENTIAL DWELLING UNITS
160 DWELLING UNITS DERIVED FROM BASE DENSITY; 106 FROM TDR'S

RPUD MASTER PLAN NOTES:

1. WITHIN THE RPUD BOUNDARIES THERE WILL BE A MINIMUM OF 60% OPEN SPACE.
2. THE FACILITIES AND IMPROVEMENTS SHOWN ON THIS PUD MASTER PLAN SHALL BE CONSIDERED CONCEPTUAL IN NATURE.
3. THE DESIGN, LOCATION, AND CONFIGURATION OF THE LAND IMPROVEMENTS SHALL BE DEFINED AT EITHER PRELIMINARY SUBDIVISION PLAT APPROVAL, OR CONSTRUCTION PLANS AND PLAT APPROVAL.
4. REQUIRED PRESERVE: 21.29 AC. (25% OF THE 85.17 AC OF EXISTING NATIVE VEGETATION. PRESERVE PROVIDED: 24.20 AC.)
5. BICYCLE / PEDESTRIAN CONNECTION(S) TO THE MULTI-USE PATH ALONG COLLIER BLVD MAY BE PROVIDED AT TIME OF PPL OR SDP.
6. MINIMUM LANDSCAPE BUFFERING REQUIREMENTS MAY BE MET WITH EXISTING PRESERVE WHERE THE PRESERVE DOES NOT MEET THE MINIMUM LANDSCAPE BUFFERING REQUIREMENTS, PLANTING TO MEET THESE REQUIREMENTS SHALL BE REQUIRED.



6610 Willow Park Drive, Suite 200 | Naples, Florida 34109 (239) 597-0575 FAX: (239) 597-0578
www.consult-rwa.com
Florida Certificates of Authorization EB 7663 LB 6952

DATE: FEB. 2020

SCALE: 1" = 300'

DRAWN BY: DLP

DESIGNED BY: RWA

SEC: 23 TWP: 50S RGE: 26E

CLIENT:

D.R. HORTON, INC.

TITLE:

ROCKEDGE RPUD MASTER PLAN

PROJECT NUMBER:

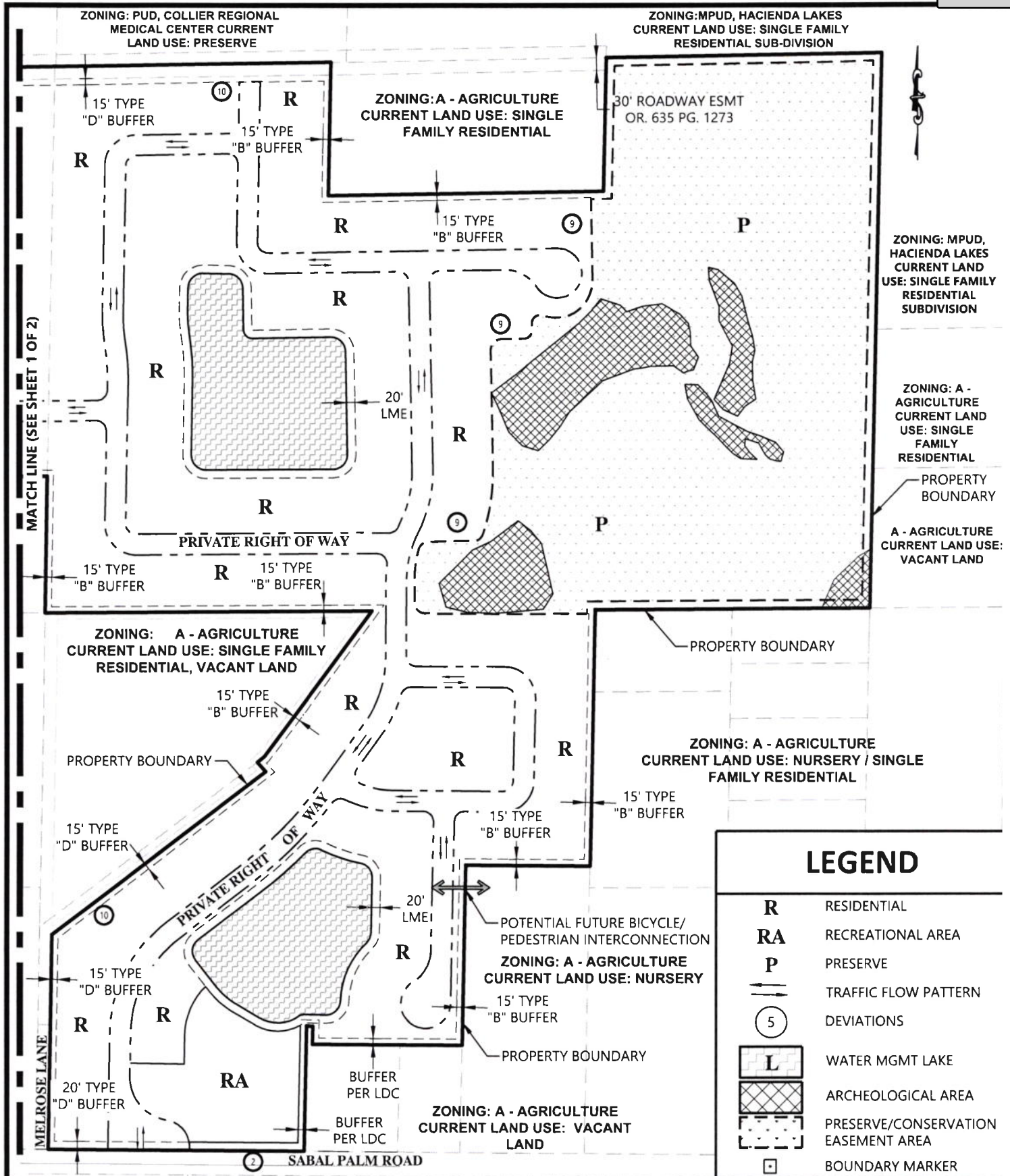
120030.02.02

SHEET NUMBER:

1 OF 2

FILE NUMBER:

1200300202 MCP



Attachment: Attachment E-Application 7-27-21 (17571 : PL20200002165, Rockledge RPUD PDI)



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Florida Certificates of Authorization EB 7663 LB 6952

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CLIENT:

D.R. HORTON, INC.

TITLE:

ROCKEDGE RPUD MASTER PLAN

PROJECT NUMBER:

120030.02.02

SHEET

NUMBER: 2 OF 2

FILE

NUMBER: 1200300202 MCP

From: [GundlachNancy](#)
To: [Ken Gallander](#)
Subject: RE: Pre-App Supplemental Form for Rockedge RPUD Tamarindo (PDI) - PL20200002165 - Tuesday 11/17 /20 3:00 PM
Date: Friday, February 5, 2021 10:40:57 AM
Attachments: [image001.png](#)

Hi Ken,

The proposed language change should not affect the Master Plan. However, we will still need a copy of the current Master Plan to include in the Staff Report.

Respectfully,

Nancy

Nancy Gundlach, AICP, PLA
 Principal Planner
 Zoning Services

(239)252-2484
Nancy.Gundlach@colliercountyfl.gov

From: Ken Gallander <kgallander@consult-rwa.com>
Sent: Friday, February 5, 2021 9:31 AM
To: GundlachNancy <Nancy.Gundlach@colliercountyfl.gov>
Subject: RE: Pre-App Supplemental Form for Rockedge RPUD Tamarindo (PDI) - PL20200002165 - Tuesday 11/17 /20 3:00 PM

EXTERNAL EMAIL: This email is from an external source. Confirm this is a trusted sender and use extreme caution when opening attachments or clicking links.

Hi Nancy,

Hope all is well.

Quick question. Do we need to provide a revised master plan?

You had indicated on the pre-app notes that a revised Master Plan is needed for this PDI. We aren't changing any aspects of the plan but are proposing text change to the ordinance language to modify the transportation commitment.

Thanks!
 Ken

Ken Gallander, AICP

Attachment: Attachment E-Application 7-27-21 (17571 : PL20200002165, Rockedge RPUD PDI)



Director of Planning
MAIN OFFICE | 239.597.0575
DIRECT LINE | 239.260.4330
CELL | 850.803.5621
EMAIL | KGallander@consult-rwa.com

From: GundlachNancy <Nancy.Gundlach@colliercountyfl.gov>
Sent: Tuesday, November 17, 2020 9:54 AM
To: Ken Gallander <kgallander@consult-rwa.com>
Cc: ThomasClarkeVEN <Thomas.Clarke@colliercountyfl.gov>
Subject: RE: Pre-App Supplemental Form for Rockedge RPUD Tamarindo (PDI) - PL20200002165 - Tuesday 11/17 /20 3:00 PM

Hi Ken,

Please disregard the message below. I found a hard copy of the notes indicating this is a request to revise a CAT commitment.

Respectfully,

Nancy

Nancy Gundlach, AICP, PLA
 Principal Planner
 Zoning Services

(239)252-2484

Nancy.Gundlach@colliercountyfl.gov

From: GundlachNancy
Sent: Tuesday, November 17, 2020 9:34 AM
To: Ken Gallander <kgallander@consult-rwa.com>
Cc: ThomasClarkeVEN <Thomas.Clarke@colliercountyfl.gov>
Subject: RE: Pre-App Supplemental Form for Rockedge RPUD Tamarindo (PDI) - PL20200002165 - Tuesday 11/17 /20 3:00 PM

Hi Ken,

Attachment: Attachment E-Application 7-27-21 (17571 : PL20200002165, Rockedge RPUD PDI)

Are you adding 10 acres into the Rockedge PUD? If so, this is a PUD Rezone, not a PDI.

Please advise.

Respectfully,

Respectfully,

Nancy Gundlach, AICP, PLA
Principal Planner



Nancy.Gundlach@CollierCountyFL.gov
Growth Management Department
Zoning Division
2800 North Horseshoe Drive, Naples Florida 34104
Phone: 239.252.2484

Visit <https://www.colliercountyfl.gov/your-government/divisions-s-z/zoning-division/zoning-services-section> to learn more about us.

From: Ken Gallander <kgallander@consult-rwa.com>
Sent: Monday, November 16, 2020 5:08 PM
To: ThomasClarkeVEN <Thomas.Clarke@colliercountyfl.gov>
Cc: GundlachNancy <Nancy.Gundlach@colliercountyfl.gov>; FrantzJeremy <Jeremy.Frantz@colliercountyfl.gov>; AlexandraCasanovaVEN <Alexandra.Casanova@colliercountyfl.gov>
Subject: RE: Pre-App Supplemental Form for Rockedge RPUD Tamarindo (PDI) - PL20200002165 - Tuesday 11/17 /20 3:00 PM

EXTERNAL EMAIL: This email is from an external source. Confirm this is a trusted sender and use extreme caution when opening attachments or clicking links.

Thomas,

Sorry for the delay response.

See attached form.

We would like to attend via Bridge Conf. Call.

Attachment: Attachment E-Application 7-27-21 (17571 : PL20200002165, Rockedge RPUD PDI)

Thank you.



Ken Gallander, AICP
 Director of Planning
OFFICE | 239.597.0575
CELL | 850.803.5621
EMAIL | KGallander@consult-rwa.com

From: ThomasClarkeVEN <Thomas.Clarke@colliercountyfl.gov>
Sent: Friday, November 13, 2020 4:03 PM
To: Ken Gallander <kgallander@consult-rwa.com>
Cc: GundlachNancy <Nancy.Gundlach@colliercountyfl.gov>; FrantzJeremy <Jeremy.Frantz@colliercountyfl.gov>; AlexandraCasanovaVEN <Alexandra.Casanova@colliercountyfl.gov>
Subject: Pre-App Supplemental Form for Rockedge RPUD Tamarindo (PDI) - PL20200002165 - Tuesday 11/17 /20 3:00 PM
Importance: High

Good Afternoon Ken,

****Sorry for the short notice****

I have received a request for a Zoning Pre-Application meeting for **Rockedge RPUD Tamarindo (PDI) - PL20200002165**. I have attached a Supplemental Form for you to complete and return to me as soon as possible along with any additional Plans, Surveys etc. that would be helpful to our Planner in preparing for the meeting.

Your virtual meeting is scheduled for **Tuesday 11/17/2020 3:00 PM**.

**** Please confirm if you would like the meeting to be held remotely by SKYPE or Bridge conference call. ****

Feel free to email me with any questions.

Thank you.

Attachment: Attachment E-Application 7-27-21 (17571 : PL20200002165, Rockedge RPUD PDI)

Thomas Clarke

Operations Coordinator - Zoning Division

2800 North Horseshoe Drive, Naples, FL 34104

Phone: 239-252-2526

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



Exceeding Expectations Everyday

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



The Rockedge RPUD (aka Tamarindo)

Insubstantial Change to a PUD (PDI)

REVISED TEXT EXHIBIT

EXISTING Ordinance No. 16-03, PUD Exhibit F, Transportation commitment “A”:

At the request of Collier County, a Collier Area Transit (CAT) bus stop with shelter will be installed by the developer at no cost to the County. The exact location will be determined during site development plan review; however, every effort shall be made for co- utilization of the CAT stop for a school bus pick-up and drop- off. This shall be coordinated with the Collier County School District. If co- utilization is determined not to be feasible, then a site for school bus drop- off and pick-up shall be provided internal to the site.

PROPOSED Ordinance No. 16-03, PUD Exhibit F, Transportation commitment “A”:

At the ~~request~~ sole discretion and decision of Collier County, prior to the first Certificate of Occupancy issuance and at no cost to the County, a Collier Area Transit (CAT) bus stop with shelter and associated access pathway will either be installed by the developer or a payment-in-lieu will instead be provided by the developer. ~~at no cost to the County.~~ The payment-in-lieu amount shall be the reasonable cost for the construction of a bus stop with shelter and associated access pathways and shall be first approved by the County Manager or their designee in coordination with CAT. The exact location will be determined during site development plan review; however, every effort shall be made for co- utilization of the CAT stop for a school bus pick-up and drop- off. This shall be coordinated with the Collier County School District. If co- utilization is determined not to be feasible, then a site for school bus drop- off and pick-up shall be provided internal to the site.

Attachment: Attachment E-Application 7-27-21 (17571 : PL20200002165, Rockedge RPUD PDI)

EXHIBIT F**Rockedge Residential Planned Unit Development****DEVELOPMENT COMMITMENTS****PUD MONITORING:**

One entity (hereinafter the Managing Entity) shall be responsible for PUD monitoring until close-out of the PUD, and this entity shall also be responsible for satisfying all PUD commitments until close-out of the PUD. At the time of this PUD approval, the Managing Entity is Watermen at Rockedge Naples, LLC or its assigns. Should the Managing Entity desire to transfer the monitoring and commitments to a successor entity, then it must provide a copy of a legally binding document that needs to be approved for legal sufficiency by the County Attorney. After such approval, the Managing Entity will be released of its obligations upon written approval of the transfer by County staff, and the successor entity shall become the Managing Entity. As Owner and Developer sell off tracts, the Managing Entity shall provide written notice to County that includes an acknowledgement of the commitments required by the PUD by the new owner and the new owner's agreement to comply with the Commitments through the Managing Entity, but the Managing Entity shall not be relieved of its responsibility under this Section. When the PUD is closed-out, then the Managing Entity is no longer responsible for the monitoring and fulfillment of PUD commitments.

Commencing with submittal of the first development order that utilizes TDR credits, a TDR calculation sheet shall be submitted documenting that the owner has acquired all TDR credits needed for that portion of the development. The calculation sheet tracks the chronological assignment of TDR credits with respect to all subsequent development orders until the maximum density allowed by the utilization of TDR credits has been reached (all TDR credits allowing residential development reach a zero balance).

TRANSPORTATION:

- A. At the request sole discretion and decision of Collier County, prior to the first Certificate of Occupancy issuance and at no cost to the County, a Collier Area Transit (CAT) bus stop with shelter and associated access pathway will either be installed by the developer or a payment-in-lieu will instead be provided by the developer. at no cost to the County. The payment-in-lieu amount shall be the reasonable cost for the construction of a bus stop with shelter and associated access pathways and shall be first approved by the County Manager or their designee in coordination with CAT. The exact location will be determined during site development plan review; however, every effort shall be made for co- utilization of the CAT stop for a school bus pick-up and drop- off. This shall be coordinated with the Collier County School District. If co- utilization is determined not to be feasible, then a site for school bus drop- off and pick-up shall be provided internal to the site.

HEX RESOLUTION NO. 21-XX

TITLE (TO BE FINALIZED)

Attachment: Attachment E-Application 7-27-21 (17571 : PL20200002165, Rockedge RPUD PDI)

EXHIBIT F**Rockedge Residential Planned Unit Development****DEVELOPMENT COMMITMENTS****PUD MONITORING:**

One entity (hereinafter the Managing Entity) shall be responsible for PUD monitoring until close-out of the PUD, and this entity shall also be responsible for satisfying all PUD commitments until close-out of the PUD. At the time of this PUD approval, the Managing Entity is Watermen at Rockedge Naples, LLC or its assigns. Should the Managing Entity desire to transfer the monitoring and commitments to a successor entity, then it must provide a copy of a legally binding document that needs to be approved for legal sufficiency by the County Attorney. After such approval, the Managing Entity will be released of its obligations upon written approval of the transfer by County staff, and the successor entity shall become the Managing Entity. As Owner and Developer sell off tracts, the Managing Entity shall provide written notice to County that includes an acknowledgement of the commitments required by the PUD by the new owner and the new owner's agreement to comply with the Commitments through the Managing Entity, but the Managing Entity shall not be relieved of its responsibility under this Section. When the PUD is closed-out, then the Managing Entity is no longer responsible for the monitoring and fulfillment of PUD commitments.

Commencing with submittal of the first development order that utilizes TDR credits, a TDR calculation sheet shall be submitted documenting that the owner has acquired all TDR credits needed for that portion of the development. The calculation sheet tracks the chronological assignment of TDR credits with respect to all subsequent development orders until the maximum density allowed by the utilization of TDR credits has been reached (all TDR credits allowing residential development reach a zero balance).

TRANSPORTATION:

- A. At the request of Collier County, a Collier Area Transit (CAT) bus stop with shelter will either be installed by the developer or a payment-in-lieu will be provided by the developer for future construction of the required bus stop with shelter prior to the first Certificate of Occupancy issuance at no cost to the County. The exact location will be determined during site development plan review; however, every effort shall be made for co-utilization of the CAT stop for a school bus pick-up and drop-off. This shall be coordinated with the Collier County School District. If co-utilization is determined not to be feasible, then a site for school bus drop-off and pick-up shall be provided internal to the site.
- B. The owner, and its successors or assigns will be responsible a proportionate share of signalization and intersection improvements at Sabal Palm Road and Collier Boulevard (CR 951), when warranted.
- C. The Rockedge PUD Transportation Impact Study was based on a development scenario of 266 single-family detached units. The total trip generation was estimated in the TIS to be 253 PM peak hour two-way external trips based on ITE trip generation rates. The development scenario of 266 single-family detached units may change. However, the

EXHIBIT F

Rockedge Residential Planned Unit Development

Project's estimated trip generation will not exceed a maximum of 253 PM peak hour two-way external trips.

- D. At the time of the first Site Development Plan, at locations where potential future vehicular and/or non-vehicular interconnection/interconnection points are indicated on the PUD Master Plan, owner shall provide vehicular and/or non-vehicular interconnectivity with abutting roadways and between adjoining sites, when feasible. If interconnection efforts are unsuccessful, the owner shall provide, as part of the SDP submittal, all correspondence between the parties involved to sufficiently document efforts to obtain interconnections.

ENVIRONMENTAL:

- A. Project has 81.81 acres of native vegetation. 3.36 acres of non-native area have been included in the native vegetation preserve requirements due to a past clearing violation by previous owners. Native vegetation requirement is based on the 81.81 acres plus the 3.36 acres or 85.17 acres total. 25% of 85.17 results in a preserve requirement of 21.29 acres. The project is preserving 24.2 acres which is more than required.

ARCHAEOLOGICAL:

In 2014, a Phase I cultural resource assessment of the site was conducted by Robert S. Carr, M.S., of the Archeological and Historical Conservancy, Inc. This assessment (A Phase I Cultural Resource Assessment of the Rockedge Parcel, *AHC Technical Report #1024*) is a revised and expanded phase of work that follows a 2003 assessment of a portion of the Rockedge parcel. Seven previously recorded sites (CR726, CR873, CR874, CR875, CR896, CR897, CR898) and two previously unrecorded sites (CR1371, CR1372) were documented. Based on the discovery of CR1371, a small black earth midden, a Phase II assessment was completed and the report (A Phase II Cultural Resource Assessment of Rockedge #2, Site 8CR1371, *AHC Technical Report #1044*). Letters concurring with the findings, results, and recommendations (including Phase III mitigation) of the two reports were received on 12/31/15 and 3/04/15 respectively.

In accordance with the Phase 1 assessment:

- A. Prior to any clearing or grubbing activities within 100 feet of the archaeological preserves labeled "to be preserved" or "designated for Phase 3 mitigation" on the Archaeological Site Locations Map, a temporary construction fence shall be placed around the preserve areas and around the site labeled "designated for Phase 3 mitigation" if that site has not already been mitigated.
- B. Any clearing of exotic vegetation within the archaeological preserve labeled "to be preserved" or "designated for Phase 3 mitigation", if not already mitigated, on the Archaeological Site Locations Map shall be conducted by hand. No mechanical equipment shall be used within the archaeological preserves for clearing or debris removal.
- C. All activities of clearing, grubbing, and subsurface alterations such as digging for utilities ditches, water management lakes, roads and the like that are located within 90 feet of the

EXHIBIT F**Rockedge Residential Planned Unit Development**

archaeological preserves labeled “to be preserved” or “designated for Phase 3 mitigation” on the Archaeological Site Locations Map and archaeological sites labeled “not eligible to be preserved” on the Archaeological Site Locations Map shall be subject to archaeological monitoring.

- D. The site plan shows archaeological areas within the preserves labeled “to be preserved” or “designated for Phase 3 mitigation” on the Archaeological Site Locations Map. No storage of fill, equipment or supplies shall be placed in the archaeological areas within the native vegetation preserve.
- E. Should any replanting or landscaping be permitted or required within the archaeological preserves labeled “to be preserved” or “designated for Phase 3 mitigation” on the Archaeological Site Locations Map, such activity shall be coordinated with and monitored by an archaeologist.
- F. If any archaeological features or artifacts are discovered during construction or development activities in the Rockedge RPUD, all development and construction activities shall cease at that location until the site has been examined by an archaeologist and necessary efforts to protect and/or document such resources have been implemented.
- G. If additional human remains are discovered within the Rockedge RPUD, then the provisions of Florida Statutes Section 872.05—laws governing the treatment of unmarked human burials—shall apply.

Attachment: Attachment E-Application 7-27-21 (17571 : PL20200002165, Rockedge RPUD PDI)

Prepared by and return to:

Thomas H. Gunderson

Attorney at Law

HENDERSON, FRANKLIN, STARNES & HOLT, P.A.

1715 Monroe Street

Fort Myers, FL 33901

239-344-1100

File Number: THG 15165-121

[Space Above This Line For Recording Data]

Special Warranty Deed

This Special Warranty Deed made this **28th** day of **September, 2020** between **Watermen at Rockedge Naples, LLC, a Florida limited liability company** whose post office address is **265 Sevilla Avenue, Coral Gables, FL 33134**, grantor, and **Forestar (USA) Real Estate Group Inc., a Delaware corporation** whose post office address is **4042 Park Oaks Boulevard, Suite 200, Tampa, FL 33610**, grantee:

(Whenever used herein the terms grantor and grantee include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum **TEN AND NO/100 DOLLARS (\$10.00)** and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Collier County, Florida**, to-wit:

A PARCEL OF LAND LYING IN SECTION 23, TOWNSHIP 50 SOUTH, RANGE 26 EAST, COLLIER COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTER OF SECTION 23, TOWNSHIP 50 SOUTH, RANGE 26 EAST, COLLIER COUNTY, FLORIDA; THENCE N89°01'58"E FOR 664.25 FEET ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 23 TO AN INTERSECTION WITH THE WEST LINE OF TRACT "F1" OF THE PLAT OF ESPLANADE AT HACIENDA LAKES AS RECORDED IN PLAT BOOK 55, PAGE 1, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA;

THENCE S01°14'38"W FOR 675.75 FEET ON SAID WEST LINE OF TRACT "F1" TO THE SOUTHWEST CORNER OF SAID TRACT "F1";

THENCE S01°14'14"W ON THE EAST LINE OF THE SOUTHWEST QUARTER (SW-1/4) OF THE NORTHWEST QUARTER (NW-1/4) OF THE SOUTHEAST QUARTER (SE-1/4) OF SAID SECTION 23 FOR 675.73 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION;

THENCE S89°42'08"W ON THE SOUTH LINE OF SAID FRACTION FOR 662.30 FEET TO AN INTERSECTION WITH EAST LINE OF A PARCEL OF LAND AS RECORDED IN OFFICIAL RECORDS BOOK 4466, PAGE 3476, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA;

THENCE THE FOLLOWING FIVE BEARINGS AND DISTANCE ON THE EAST AND SOUTH LINES OF SAID PARCEL:

- 1. S01°09'56"W FOR 617.91 FEET;**
- 2. N89°34'54"W FOR 300.19 FEET;**
- 3. S01°09'09"W FOR 435.95 FEET;**
- 4. N89°34'09"W FOR 150.16 FEET;**

Parcel Identification Numbers: 00433040006, 00433120007, 00433160009, 00433480006, 00433800000, 00433880004, 00434840001, 00435400000, 00436360000, 00436440001, 00436520002, 00436600003, 00436760008, 00436800104, 00436800201, and 00436800308

Subject to taxes for 2020 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under grantors.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

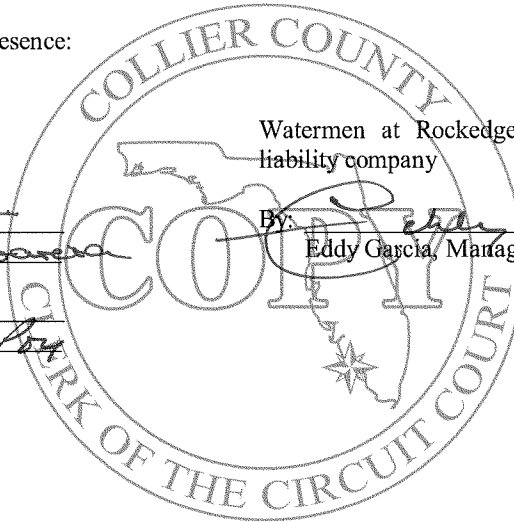
Signed, sealed and delivered in our presence:

Watermen at Rockedge Naples, LLC, a Florida limited liability company

By: Eddy Garcia, Manager

Witness Name: Maria D Garcia

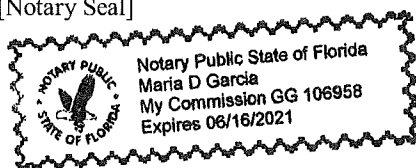
Witness Name: Vivian



State of Florida
County of Miami-Dade

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 25 day of September, 2020 by Eddy Garcia, Manager of Watermen at Rockedge Naples, LLC, a Florida limited liability company, on behalf of said firm. He ☒ is personally known or ☐ has produced a _____ driver's license as identification.

[Notary Seal]



Maria D Garcia
Notary Public

Printed Name: Maria D Garcia

My Commission Expires: 6/16/2021

Attachment: Attachment E-Application 7-27-21 (17571 : PL20200002165, Rockedge RPUD PDI)

5. N89°38'05"W FOR 210.56 FEET TO AN INTERSECTION WITH THE WEST LINE OF THE EAST HALF (E-1/2) OF THE SOUTHEAST QUARTER (SE-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 23;

THENCE N01°05'19"E ON SAID WEST LINE FOR 43.72 FEET TO AN INTERSECTION WITH THE NORTH LINE OF THE SOUTH HALF (S-1/2) OF THE SOUTHWEST QUARTER (SW-1/4) OF THE SOUTHEAST QUARTER (SE-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 23;

THENCE N89°48'02"W ON SAID NORTH LINE FOR 15.00 FEET TO AN INTERSECTION WITH THE EAST LINE OF PARCEL 1 AS RECORDED IN OFFICIAL RECORDS BOOK 4970, PAGE 3362, SAID PUBLIC RECORDS;

THENCE THE FOLLOWING FOUR BEARINGS AND DISTANCES ON THE SOUTH, WEST AND NORTH LINES OF SAID PARCEL 1:

1. S01°05'19"W ON SAID EAST LINE FOR 303.80 FEET;
2. N89°37'28"W FOR 645.47 FEET;
3. N01°01'07"E FOR 302.01 FEET
4. S89°47'35"E FOR 30.00 FEET TO AN INTERSECTION WITH THE WEST LINE OF SAID PARCEL OF LAND RECORDED IN OFFICIAL RECORDS BOOK 4466, PAGE 3476, SAID PUBLIC RECORDS;

THENCE THE FOLLOWING FIVE BEARINGS AND DISTANCES ON THE WEST LINE OF SAID PARCEL:

1. N01°01'01"E FOR 218.98 FEET;
2. N52°35'40"E FOR 646.23 FEET;
3. N40°29'08"W FOR 30.05 FEET;
4. N49°40'54"E FOR 22.10 FEET;
5. THENCE N36°22'15"E FOR 436.44 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF THE NORTHEAST QUARTER (NE-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 23;

THENCE S89°42'08"W ON SAID SOUTH LINE FOR 785.71 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER (NE-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 23;

THENCE N01°01'01"E FOR 332.01 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER (NE-1/4) OF THE SOUTHEAST QUARTER (SE-1/4) OF THE NORTHWEST QUARTER (NW-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 23;

THENCE S89°32'04"W FOR 994.18 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER (SW-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF THE NORTHWEST QUARTER (NW-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 23;

THENCE S00°54'12"W FOR 329.09 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF THE NORTHWEST QUARTER (NW-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 23;

THENCE N89°42'08"E FOR 331.15 FEET TO THE NORTHEAST CORNER OF THE NORTHEAST QUARTER (NE-1/4) OF THE NORTHWEST QUARTER (NW-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 23;

Attachment: Attachment E-Application 7-27-21 (17571 : PL20200002165, Rockledge RPUD PDI)

THENCE S00°56'29"W FOR 660.13 FEET TO THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER (SE-1/4) OF THE NORTHWEST QUARTER (NW-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 23;

THENCE N89°57'42"W FOR 330.68 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER (SE-1/4) OF THE NORTHWEST QUARTER (NW-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 23;

THENCE S00°54'12"W FOR 329.09 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER (NW-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 23;

THENCE N89°47'35"W ON THE SOUTH LINE OF SAID FRACTION FOR 230.44 FEET TO AN INTERSECTION WITH A LINE 100 FEET EAST OF (AS MEASURED ON A PERPENDICULAR) AND PARALLEL WITH THE WEST LINE OF SAID SECTION 23;

THENCE N00°51'53"E ON SAID PARALLEL LINE FOR 1642.03 FEET TO AN INTERSECTION WITH THE NORTH LINE OF THE NORTHWEST QUARTER (NW-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF THE NORTHWEST QUARTER (NW-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 23;

THENCE N89°22'01"E FOR 894.88 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER (NE-1/4) OF THE SOUTHEAST QUARTER (SE-1/4) OF THE NORTHWEST QUARTER (NW-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 23;

THENCE N00°58'45"E FOR 662.08 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST (NE-1/4) OF THE NORTHEAST QUARTER (NE-1/4) OF THE NORTHWEST QUARTER (NW-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 23;

THENCE N89°01'58"E FOR 996.40 FEET TO THE NORTHWEST CORNER OF THE EAST HALF (E-1/2) OF THE NORTHEAST QUARTER (NE-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 23;

THENCE S01°05'30"W ON THE WEST LINE OF SAID FRACTION FOR 328.19 FEET TO AN INTERSECTION WITH A LINE 328.19 FEET SOUTH OF (AS MEASURED ON A PERPENDICULAR) AND PARALLEL WITH THE NORTH LINE OF SAID FRACTION;

THENCE N89°01'53"E ON SAID PARALLEL LINE FOR 663.85 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE EAST HALF (E-1/2) OF THE NORTHEAST QUARTER (NE-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 23;

THENCE N01°10'38"E ON SAID EAST LINE FOR 328.19 FEET TO THE POINT OF BEGINNING.

LESS THAT PART OF THE ABOVE DESCRIBED PROPERTY CONTAINED IN DEED RECORDED IN O.R. BOOK 321, PAGE 259, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

BEARINGS HEREINABOVE MENTIONED ARE BASED ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 50 SOUTH, RANGE 26 EAST TO BEAR NORTH 89°01'58" EAST.

Attachment: Attachment E-Application 7-27-21 (17571 : PL20200002165, Rockledge RPUD PDI)



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Foreign Profit Corporation

FORESTAR (USA) REAL ESTATE GROUP INC.

Filing Information

Document Number F17000005180

FEI/EIN Number 74-1213624

Date Filed 11/15/2017

State DE

Status ACTIVE

Principal Address

10700 PECAN PARK BLVD,
SUITE 150
AUSTIN, TX 78750

Changed: 08/17/2018

Mailing Address

10700 PECAN PARK BLVD,
SUITE 150
AUSTIN, TX 78750

Changed: 08/17/2018

Registered Agent Name & Address

CORPORATION SERVICE COMPANY
1201 HAYS STREET
TALLAHASSEE, FL 32301

Officer/Director Detail

Name & Address

Title EXECUTIVE CHAIRMAN, Director

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AUSTIN, TX 78750

Title CEO

BARTOK, DANIEL C.
10700 PECAN PARK BLVD.

Attachment: Attachment E-Application 7-27-21 (17571 : PL20200002165, Rockledge RPUD PDI)

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Title Asst. Secretary, VP

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Title VICE PRESIDENT REAL ESTATE INVESTMENTS & DEVELOPMENT

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Title Senior Vice President, President South Central Region

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Title Secretary, VP

Dagley, Ashley
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Schumacher, Bret
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Title Vice President - Real Estate Investments & Development

Williams, Patrick J.

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Annual Reports

Report Year	Filed Date
2019	01/28/2019
2019	05/01/2019
2020	05/01/2020

Document Images

05/01/2020 -- ANNUAL REPORT	View image in PDF format
08/16/2019 -- AMENDED ANNUAL REPORT	View image in PDF format
05/01/2019 -- AMENDED ANNUAL REPORT	View image in PDF format
01/28/2019 -- ANNUAL REPORT	View image in PDF format
02/08/2018 -- ANNUAL REPORT	View image in PDF format
11/15/2017 -- Foreign Profit	View image in PDF format

AFFIDAVIT OF AUTHORIZATION

FOR PETITION NUMBERS(S) PL20200002165

I, Tony Squitieri (print name), as Division President (title, if applicable) of FORESTAR (USA) REAL ESTATE GROUP INC. (company, if applicable), swear or affirm under oath, that I am the (choose one) owner ☒ applicant ☐ contract purchaser ☐ and that:

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

*Notes:

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

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

T. Squitieri

Signature

2/8/2021

Date

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

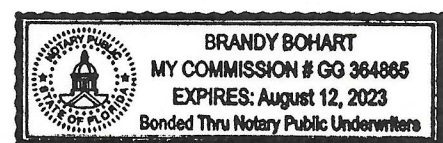
The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 8th day of February, 2021, by (printed name of owner or qualifier) Tony Squitieri.

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: Brandy Bohart

Notary Seal





COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DIVISION
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 Department at 239-252-5724 or submit in person to the Addressing Department 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 Department.

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>PDI</u> |

LEGAL DESCRIPTION of subject property or properties (copy of lengthy description may be attached) **23-50-26**

See attached.

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

See attached.

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

North/Northeast of the intersection of Sabal Palm Road and Collier Boulevard.

- **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)

PROPOSED PROJECT NAME (if applicable) **Current Name: Rockedge**

Tamarindo

PROPOSED STREET NAMES (if applicable)

TBD

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

SDP ____ - ____ or AR or PL # 20190002554

PL20140002246 (PUDR)

Attachment: Attachment E-Application 7-27-21 (17571 : PL20200002165, Rockedge RPUD PDI)



COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DIVISION
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: Kenrick S. Gallander, AICP

Phone: 239-597-0575 Email/Fax: kgallander@consult-rwa.com

Signature on Addressing Checklist does not constitute Project and/or Street Name approval and is subject to further review by the Operations Department.

FOR STAFF USE ONLY

Folio Number 00433040006

Folio Number (See attached for additional)

Folio Number _____

Folio Number _____

Folio Number _____

Folio Number _____

Approved by: WF Date: 9/14/2020

Updated by: _____ Date: _____

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

Attachment: Attachment E-Application 7-27-21 (17571 : PL20200002165, Rockledge RPUD PDI)

LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN SECTION 23, TOWNSHIP 50 SOUTH, RANGE 26 EAST, COLLIER COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTER OF SECTION 23, TOWNSHIP 50 SOUTH, RANGE 26 EAST, COLLIER COUNTY, FLORIDA; THENCE N89°01'58"E FOR 664.25 FEET ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 23 TO AN INTERSECTION WITH THE WEST LINE OF TRACT "F1" OF THE PLAT OF ESPLANADE AT HACIENDA LAKES AS RECORDED IN PLAT BOOK 55, PAGE 1, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA;

THENCE S01°14'38"W FOR 675.75 FEET ON SAID WEST LINE OF TRACT "F1" TO THE SOUTHWEST CORNER OF SAID TRACT "F1";

THENCE S01°14'14"W ON THE EAST LINE OF THE SOUTHWEST QUARTER (SW-1/4) OF THE NORTHWEST QUARTER (NW-1/4) OF THE SOUTHEAST QUARTER (SE-1/4) OF SAID SECTION 23 FOR 675.73 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION;

THENCE S89°42'08"W ON THE SOUTH LINE OF SAID FRACTION FOR 662.30 FEET TO AN INTERSECTION WITH EAST LINE OF A PARCEL OF LAND AS RECORDED IN OFFICIAL RECORDS BOOK 4466, PAGE 3476, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA;

THENCE THE FOLLOWING FIVE BEARINGS AND DISTANCES ON THE EAST AND SOUTH LINES OF SAID PARCEL:

1. S01°09'56"W FOR 617.91 FEET;
2. N89°34'54"W FOR 300.19 FEET;
3. S01°09'09"W FOR 435.95 FEET;
4. N89°34'09"W FOR 150.16 FEET;
5. N89°38'05"W FOR 210.56 FEET TO AN INTERSECTION WITH THE WEST LINE OF THE EAST HALF (E-1/2) OF THE SOUTHEAST QUARTER (SE-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 23;

THENCE N01°05'19"E ON SAID WEST LINE FOR 43.72 FEET TO AN INTERSECTION WITH THE NORTH LINE OF THE SOUTH HALF (S-1/2) OF THE SOUTHWEST QUARTER (SW-1/4) OF THE SOUTHEAST QUARTER (SE-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 23;

THENCE N89°48'02"W ON SAID NORTH LINE FOR 15.00 FEET TO AN INTERSECTION WITH THE EAST LINE OF PARCEL 1 AS RECORDED IN OFFICIAL RECORDS BOOK 4970, PAGE 3362, SAID PUBLIC RECORDS;

THENCE THE FOLLOWING FOUR BEARINGS AND DISTANCES ON THE SOUTH, WEST AND NORTH LINES OF SAID PARCEL 1:

1. S01°05'19"W ON SAID EAST LINE FOR 303.80 FEET;
2. N89°37'28"W FOR 645.47 FEET;
3. N01°01'07"E FOR 302.01 FEET
4. S89°47'35"E FOR 30.00 FEET TO AN INTERSECTION WITH THE WEST LINE OF SAID PARCEL OF LAND RECORDED IN IN OFFICIAL RECORDS BOOK 4466, PAGE 3476, SAID PUBLIC RECORDS;

THENCE THE FOLLOWING FIVE BEARINGS AND DISTANCES ON THE WEST LINE OF SAID PARCEL:

1. N01°01'01"E FOR 218.98 FEET;
2. N52°35'40"E FOR 646.23 FEET;
3. N40°29'08"W FOR 30.05 FEET;
4. N49°40'54"E FOR 22.10 FEET;
5. THENCE N36°22'15"E FOR 436.44 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF THE NORTHEAST QUARTER (NE-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 23;

THENCE S89°42'08"W ON SAID SOUTH LINE FOR 785.71 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER (NE-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 23;

THENCE N01°01'01"E FOR 332.01 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER (NE-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF THE NORTHWEST QUARTER (NW-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 23;

THENCE S89°32'04"W FOR 994.18 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER (SW-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF THE NORTHWEST QUARTER (NW-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 23;

THENCE S00°54'12"W FOR 329.09 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF THE NORTHWEST QUARTER (NW-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 23;

THENCE N89°42'08"E FOR 331.15 FEET TO THE NORTHEAST CORNER OF THE NORTHEAST QUARTER (NE-1/4) OF THE NORTHWEST QUARTER (NW-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 23;

THENCE S00°56'29"W FOR 660.13 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW-1/4) OF THE NORTHWEST QUARTER (NW-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 23;

THENCE N89°57'42"W FOR 330.68 FEET TO THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER (SW-1/4) OF THE NORTHWEST QUARTER (NW-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 23;

THENCE S00°54'12"W FOR 329.09 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER (NW-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 23;

THENCE N89°47'35"W ON THE SOUTH LINE OF SAID FRACTION FOR 230.44 FEET TO AN INTERSECTION WITH A LINE 100 FEET EAST OF (AS MEASURED ON A PERPENDICULAR) AND PARALLEL WITH THE WEST LINE OF SAID SECTION 23;

THENCE N00°51'53"E ON SAID PARALLEL LINE FOR 1642.03 FEET TO AN INTERSECTION WITH THE NORTH LINE OF THE NORTHWEST QUARTER (NW-1/2) OF THE SOUTHWEST QUARTER (SW-1/4) OF THE NORTHWEST QUARTER (NW-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 23;

THENCE N89°22'01"E FOR 894.88 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER (NE-1/4) OF THE SOUTHEAST QUARTER (SE-1/4) OF THE NORTHWEST QUARTER (NW-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 23;

THENCE N00°58'45"E FOR 662.08 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST (NE-1/4) OF THE NORTHEAST QUARTER (NE-1/4) OF THE NORTHWEST QUARTER (NW-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 23;

THENCE N89°01'58"E FOR 996.40 FEET TO THE NORTHWEST CORNER OF THE EAST HALF (E-1/2) OF THE NORTHEAST QUARTER (NE-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 23;

THENCE S01°05'30"W ON THE WEST LINE OF SAID FRACTION FOR 328.19 FEET TO AN INTERSECTION WITH A LINE 328.19 FEET SOUTH OF (AS MEASURED ON A PERPENDICULAR) AND PARALLEL WITH THE NORTH LINE OF SAID FRACTION;

THENCE N89°01'53"E ON SAID PARALLEL LINE FOR 663.85 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE EAST HALF (E-1/4) OF THE NORTHEAST QUARTER (NE-1/4) OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 23;

THENCE N01°10'38"E ON SAID EAST LINE FOR 328.19 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 106.44 ACRES, MORE OR LESS.

LESS THAT PART OF THE ABOVE DESCRIBED PROPERTY CONTAINED IN DEED RECORDED IN O.R. BOOK 321, PAGE 259, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

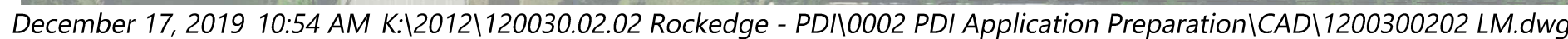
BEARINGS HEREINABOVE MENTIONED ARE BASED ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 50 SOUTH, RANGE 26 EAST TO BEAR NORTH 89°01'58" EAST.



Rockedge RPUD
Insubstantial Change to A PUD (PDI)
FOLIO NUMBERS

1. 00433040006
2. 00433120007
3. 00433160009
4. 00433480006
5. 00433800000
6. 00433880004
7. 00434840001
8. 00435400000
9. 00436360000
10. 00436440001
11. 00436520002
12. 00436600003
13. 00436760008
14. 00436800104
15. 00436800201
16. 00436800308

Attachment: Attachment E-Application 7-27-21 (17571 : PL20200002165, Rockedge RPUD PDI)

Packet Pg. 94



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
FORESTAR (USA) REAL ESTATE GROUP INC.	100
4042 Park Oaks Blvd., Suite 200	
Tampa, FL 33610	
"Publicly Traded"	

- 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



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

Name and Address	% of Ownership

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

Name and Address	% of Ownership

Date of Contract: _____

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

Name and Address

- g. Date subject property acquired _____

☐ Leased: Term of lease _____ years /months

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



COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

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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

Kenrick Gallander Digitally signed by Kenrick Gallander
Date: 2021.04.23 09:58:44 -04'00'

Agent/Owner Signature

4/23/2021

Date

Kenrick Gallander

Agent/Owner Name (please print)



December 17, 2019 10:54 AM K:\2012\120030.02.02 Rockledge - PDI\0002 PDI Application Preparation\CAD\1200300202 LM.dwg

CLIENT:
D.R. HORTON, INC.

PROJECT:
ROCKEDGE RPUD PDI

TITLE:
LOCATION MAP

DATE:
DEC. 2019

DESIGNED:
RWA

SCH. W/P: 23 50S 26E

DRAWN:
DLP

PROJECT NO.:
120030.02.02

SHEET NUMBER:
1 OF 1

0 75 150 300

0 150 300 Feet

REVISION

DRAWN

DATE

RWA
ENGINEERING
Florida Certificates of Authorization EB 7663 LB 6952
6610 Willow Park Drive, Suite 200 | Naples, FL 34109
Office: 239.597.0575 Fax: (239) 597-0578
www.consult-rwa.com

Attachment: Attachment E-Application 7-27-21 (17571 : PL20200002165 - Rockledge RPUD PDI)

Packet Pg. 100

Rockedge

(aka Tamarindo)

Residential Planned Unit Development (RPUD) Insubstantial Change Amendment (PDI - PL20200002165)

Neighborhood Information Meeting

April 28, 2021

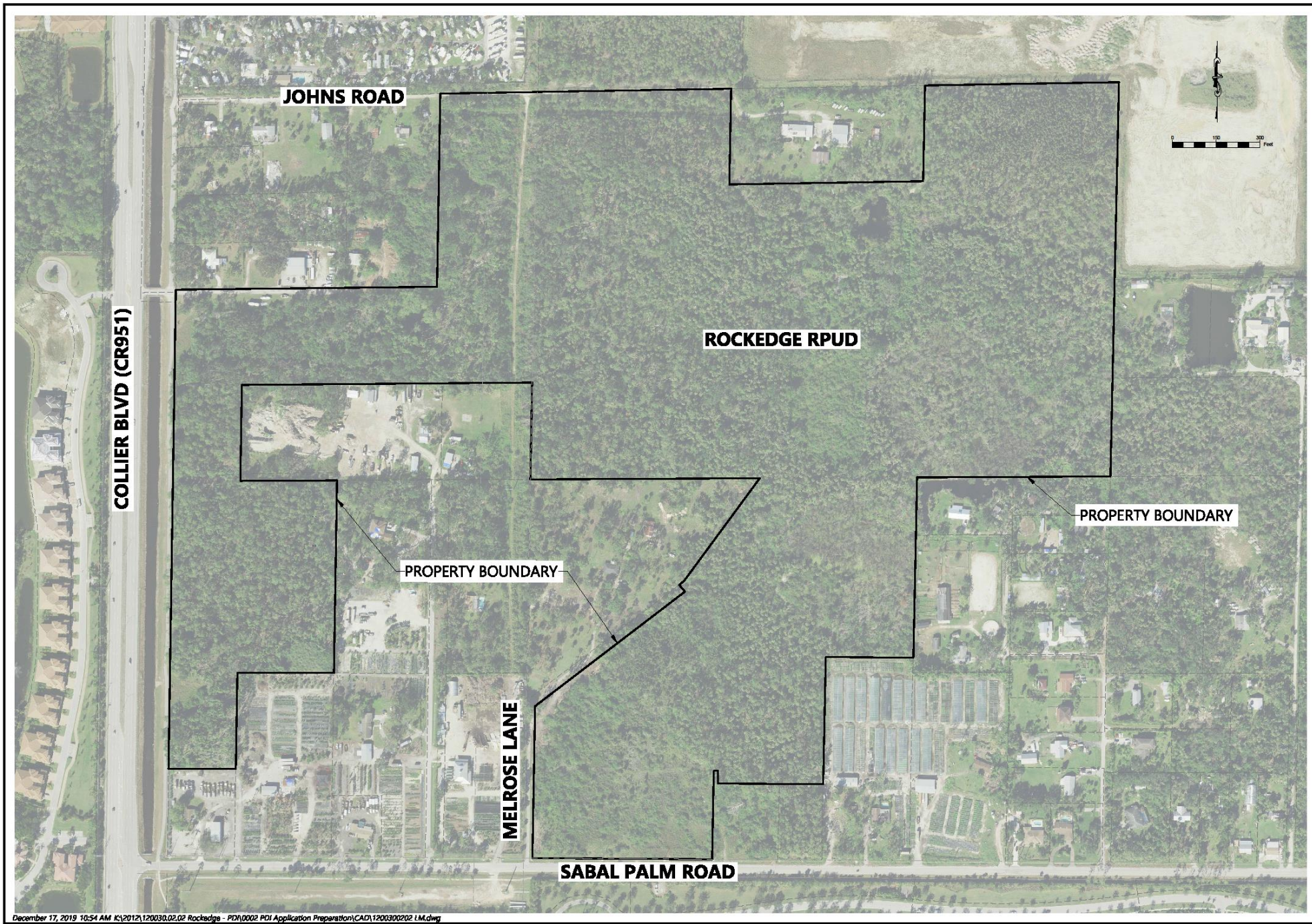
5:30pm

Team Representatives

- Applicant:
 - Forestar (USA) Real Estate Group, Inc.
 - James M. Ratz
- Agent:
 - RWA, Inc.
 - Ken Gallander, AICP
 - Blake Finnegan
 - John Williams

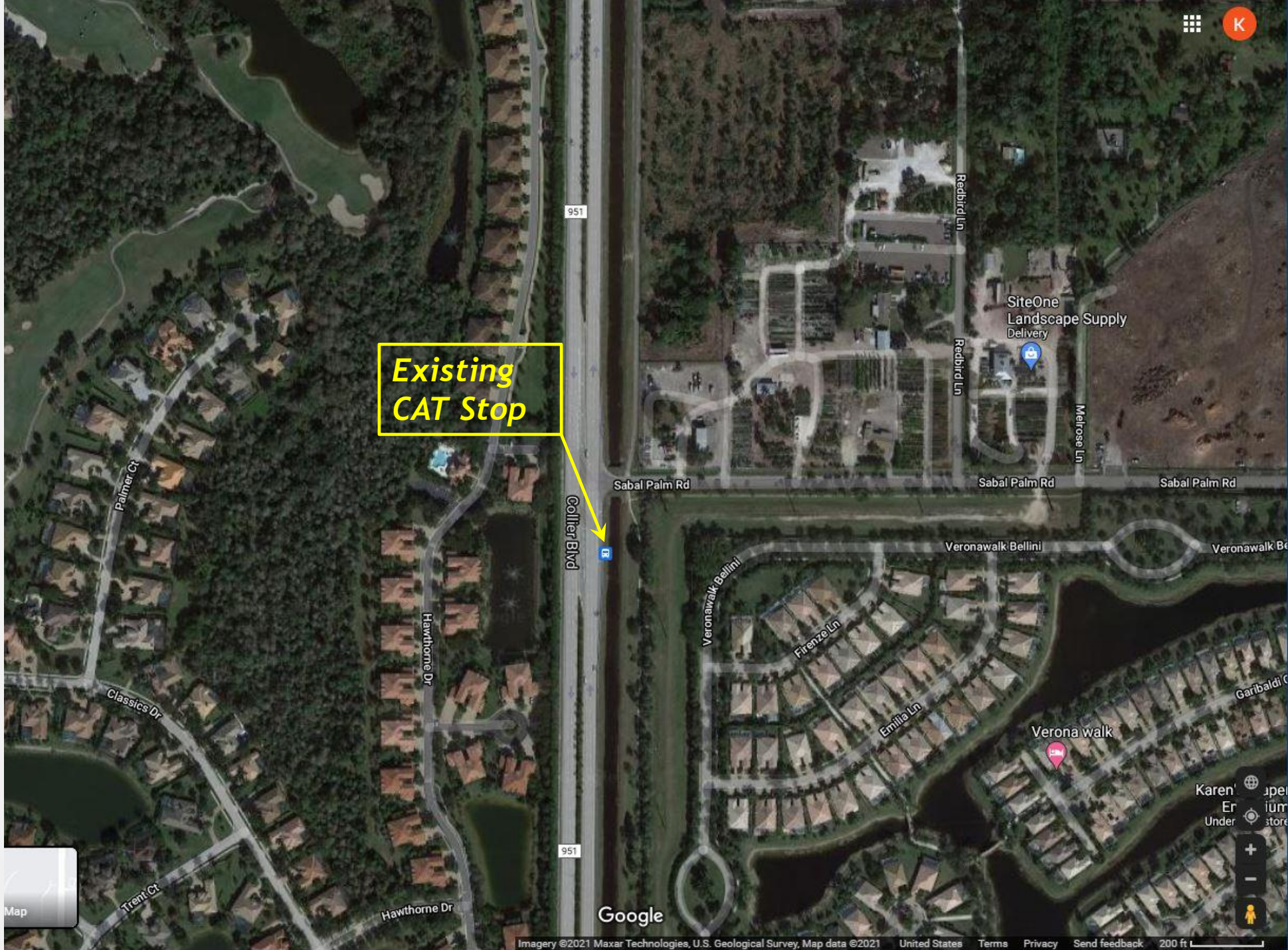
Subject Property:

- 106.44+/- acres
- Located: East of Collier Blvd and North of Sabal Palm Road
- Zoning: Approved February 9, 2016, under Ord. No. 16-03 with commitments.
- Site Development & Plat: Approved September 22, 2020, with stipulations.
- Currently Under Construction



December 17, 2019 10:54 AM K:\2012\120030.02.02 Rockledge - PDI\0002 PDI Application Preparation\CAD\1200300202 LM.dwg

DATE: DEC_2019		DRAWN: RWA	
PROJECT: ROCKEDGE RPUD PDI		TITLE: LOCATION MAP	
PROJECT: 120030.02.02		SHEET: 1	
CLIENT: D.R. HORTON, INC.		REVISION:	
PROJECT: ROCKEDGE RPUD PDI		DATE:	
PROJECT: 120030.02.02		DRAWN: RWA	
CLIENT: D.R. HORTON, INC.		DATE:	
PROJECT: ROCKEDGE RPUD PDI		DRAWN: RWA	
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CLIENT: D.R. HORTON, INC.		DRAWN: RWA	
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Rockedge

Write a description for your map.

Legend

Untitled Polygon

Existing
CAT Stop

Google Earth

US Dept of State Geographer

© 2019 Google

© 2019 INES

© 2020 Google

6.73 ft

3.A.f

Challenges & Opportunities:

- **Existing:**
 - Site challenges
 - No ADA Accessible Route from pathway/sidewalk
 - No shelter or supporting infrastructure
 - Stormwater Management Canal/Slopes
- **Future:**
 - Opportunities to Provide CAT Stop
 - Coordinated effort to develop feasible and safe plan
 - Option to construct in the future via
 - Payment-in-lieu

Request:

- **Insubstantial Change Amendment**
 - **Ord. No. 16-03, Exhibit F: Transportation Commitment “A”**
 - **EXISTING:** At the request of Collier County, a Collier Area Transit (CAT) bus stop with shelter will be installed by the developer at no cost to the County. The exact location will be determined during site development plan review; however, every effort shall be made for co- utilization of the CAT stop for a school bus pick-up and drop-off. This shall be coordinated with the Collier County School District. If co- utilization is determined not to be feasible, then a site for school bus drop- off and pick-up shall be provided internal to the site.
 - **PROPOSED:** At the request of Collier County, a Collier Area Transit (CAT) bus stop with shelter will either be installed by the developer or a payment-in-lieu will be provided by the developer for future construction of the required bus stop with shelter prior to the first Certificate of Occupancy issuance at no cost to the County. The cost associated with the bus stop improvements and shelter shall be approved by the County Manager or designee once coordinated with CAT to determine the acceptable payment-in-lieu amount. The exact location will be determined during site development plan review; however, every effort shall be made for co- utilization of the CAT stop for a school bus pick-up and drop- off. This shall be coordinated with the Collier County School District. If co- utilization is determined not to be feasible, then a site for school bus drop- off and pick-up shall be provided internal to the site.

Process and Timeline:

- Application under review with County Staff
- Collier County Hearing Examiner
 - Public Hearing (Estimated: July)
 - Public Notice will be provided

Questions?

AFFIDAVIT OF COMPLIANCE

I hereby certify that pursuant to Ordinance 2004-41, of the Collier County Land Development Code, I did cause the attached newspaper advertisement to appear and I did give notice by mail to the following property owners and/or condominium and civic associations whose members may be affected by the proposed land use changes of an application request for a rezoning, PUD amendment, or conditional use, at least 15 days prior to the scheduled Neighborhood Information Meeting. *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 and the date, time, and place of a Neighborhood Information Meeting.

Per the attached letters, property owner's list, and copy of newspaper advertisement which are hereby made a part of this Affidavit of Compliance



(Signature of Applicant)

State of Florida
County of Collier

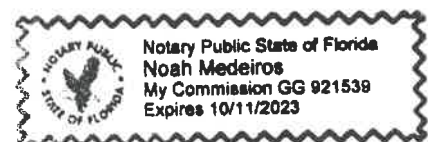
The foregoing Affidavit of compliance was acknowledged before me this 15 day of APRIL, 2021 by KENDRICK GALLANDER, who is personally known to me or who has produced _____ as identification.



(Signature of Notary Public)

NOAH MEDEIROS
Printed Name of Notary

(Notary Seal)





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): 20200002165

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

Name: Nicolas Aparicio, Florida Region President

Date: 7.13.2021

Signature: 

☒ Applicant*

☐ Legal Counsel to Applicant

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

Attachment: Attachment E-Application 7-27-21 (17571 : PL20200002165, Rockledge RPUD PDI)



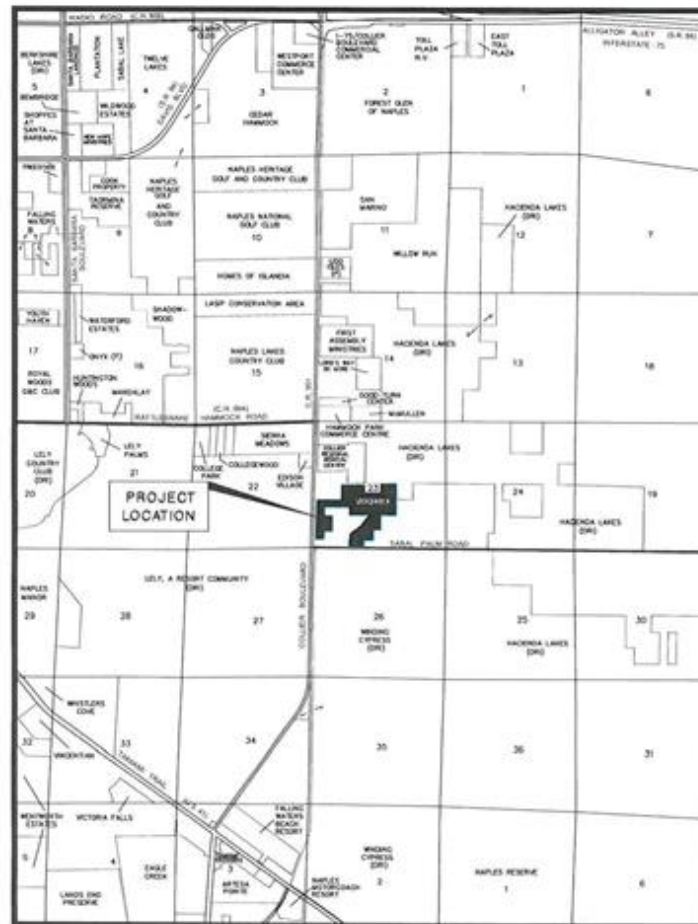
March 29, 2021

**Subject: Neighborhood Information Meeting
Rockledge RPUD Insubstantial Change Amendment Application
(PL20200002165)**

Dear Property Owner:

Please be advised that a formal application has been submitted to Collier County seeking approval of a request to amend the text of the Rockledge Residential Planned Unit Development (RPUD).

The Rockledge RPUD subject property is 106.4 ± acres located on the north side of Sabal Palm Road approximately 1400' east of Collier Blvd (C.R. 951), and on Collier Blvd. (C.R. 951) 400' north of Sabal Palm Road in Section 23, Township 50 South, Range 26 East, Collier County, Florida.



Project Location Map



The Petitioner is asking the County to approve an insubstantial change amendment that will modify the PUD Ordinance No. 16-03 language by amending Transportation Commitment "A" to allow for a payment-in-lieu option for the future construction of the required Collier Area Transit (CAT) bus stop with shelter.

In compliance with the Land Development Code requirements, a Neighborhood Information Meeting (NIM) will be held to provide you an opportunity to become fully aware of our development intentions and to give you an opportunity to influence the form of development. **The Neighborhood Information Meeting will be held at 5:30pm on April 28, 2021, at the Shepherd of the Glades Church, 6020 Rattlesnake Hammock Road, Naples, FL 34113.**

Due to COVID-19, special accommodations will be made to allow people to attend in person or virtually. The meeting will be held indoors at the church where CDC guidelines will be observed. Reservations for in-person meeting attendance is required to ensure social distancing can be met. The meeting will also be online via Zoom. Should you choose to either participate in the Zoom meeting or want to attend in-person, please notify us via email at Bfinnegan@consult-rwa.com prior to April 14th to allow us to send you login instructions and document your reservation.

At this meeting, the petitioner will make every effort to illustrate how the property will be developed and to answer any questions. Should you have questions prior to the meeting, please contact me.

Should you have questions prior to the meeting, please contact me.

Sincerely,
RWA, Inc.

A handwritten signature in blue ink, appearing to read "Kenrick S. Gallander".

Kenrick S. Gallander, AICP
Director of Planning

KSG/

Attachment: Attachment E-Application 7-27-21 (17571 : PL20200002165, Rockledge RPUD PDI)

Naples Daily News

PART OF THE USA TODAY NETWORK

Published Daily
Naples, FL 34110

RWA INC.
6610 WILLOW PARK DR 200

NAPLES, FL 34109

Affidavit of Publication

STATE OF WISCONSIN
COUNTY OF BROWN

Before the undersigned they serve as the authority, personally appeared said legal clerk who on oath says that he/she serves as **Legal Clerk** of the Naples Daily News, a daily newspaper published at Naples, in Collier County, Florida; distributed in Collier and Lee counties of Florida; that the attached copy of the advertising was published in said newspaper on dates listed. Affiant further says that the said Naples Daily News is a newspaper published at Naples, in said Collier County, Florida, and that the said newspaper has heretofore been continuously published in said

Collier County, Florida; distributed in Collier and Lee counties of Florida, each day and has been entered as second class mail matter at the post office in Naples, in said Collier County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Published: 04/04/2021

Subscribed and sworn to before on April 4, 2021:

Notary, State of WI, County of Brown

TARA MONDLOCH
Notary Public
State of Wisconsin

My commission expires August 6, 2021

Publication Cost: \$378.00

Ad No: 0004668539

Customer No: 1307584

PO #: Shepard of the Glades Church

of Affidavits 1

This is not an invoice

NEIGHBORHOOD INFORMATION MEETING

The public is invited to attend a Neighborhood Information Meeting held by RWA, Inc., representing Forestar (USA) Real Estate Group, Inc., on:

Wednesday, April 28, 2021, at 5:30 pm Shepard of the Glades Church, 6020 Rattlesnake Hammock Road, Naples, FL 34112

The Rockledge RPUD subject property is 106.4 ± acres located on the north side of Sabal Palm Road approximately 1400' east of Collier Blvd (C.R. 951), and on Collier Blvd. (C.R. 951) 400' north of Sabal Palm Road in Section 23, Township 50 South, Range 26 East, Collier County, Florida.



The Petitioner is asking the County to approve an insubstantial change amendment that will modify the PUD Ordinance No. 16-03 language by amending Transportation Commitment "A" to allow for a payment-in-lieu option for the future construction of the required Collier Area Transit (CAT) bus stop with shelter.

Business and property owners, residents and visitors are welcome to attend the presentation to discuss the project. If you are unable to attend the meeting in-person and would like the opportunity to participate virtually, an on-line meeting will be available. Details related to joining the meeting can be obtained by contacting the individual listed below. Reservations for in-person meeting attendance is required to ensure that the CDC guidelines for social distancing can be achieved.

If you are unable to attend this meeting, but have questions or comments, they can be directed by mail, phone, or e-mail to:

Kenrick S. Gallander, AICP
Director of Planning
RWA Engineering
6610 Willow Park Drive, Suite 200
Naples, Florida 34109
239-597-0575
kgallander@consult-rwa.com

Pub Date: April 4, 2021 #4668539

Attachment: Attachment E-Application 7-27-21 (17571 : PL20200002165, Rockledge RPUD PDI)

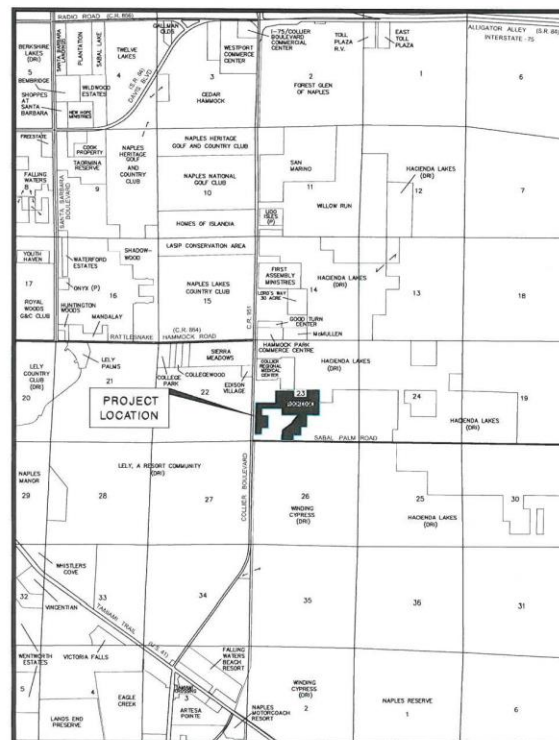
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Director of Planning
RWA Engineering
6610 Willow Park Drive, Suite 200
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239-597-0575
kgallander@consult-rwa.com

Attachment: Attachment E-Application 7-27-21 (17571 : PL20200002165, Rockledge RPUD PDI)

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: PL20200002165(PDI) | Buffer: 500' | Date: 3/25/2021 | Site Location: Rockledge RPUD

NAME1	NAME2	NAME3	NAME4	NAME5	NAME6	FOLIO	ADDRESSTYPE
2 TORPS LLC	7988 TIGER LILY DR				NAPLES, FL 34113----	00433640008	U
2 TORPS LLC	7988 TIGER LILY DR				NAPLES, FL 34113----	00433920003	U
2 TORPS LLC	7988 TIGER LILY DR				NAPLES, FL 34113----	00434000003	U
2 TORPS LLC	7988 TIGER LILY DR				NAPLES, FL 34113----	00434400001	U
2019 IANNOTTA FAMILY TRUST	7877 HAWTHORNE DR #103				NAPLES, FL 34113----	49462000065	U
ALANDER, JUDY K	6920 AMITY RD				NAPLES, FL 34114---2560	00436320008	U
ALDO A AMBROSINI JR REV TRUST	19630 GOVERNORS HWY STE 2				FLOSSMOOR, IL 60422----	31347860985	U
ALLEN, ARTHUR	ANAHITA SHARIF RIAZI	8209 LUCELLO TER W			NAPLES, FL 34114----	31347860901	U
ALLEN, CHARLES EDWARD	7813 HAWTHORNE DR #2404				NAPLES, FL 34113----	76463200400	U
AMY D MALLEY LIVING TRUST	707 CANOPY DR				NAPERVILLE, IL 60540----	76463200785	U
ANDERSON, BOONRUEN	141 ROSE APPLE LN				NAPLES, FL 34114---2555	00435640006	U
ANDERSON, RICHARD R	KIMBERLY D ANDERSON	941 STANTON DR			NAPERVILLE, IL 60540----	76463200727	U
ANDERSON-BERGER, TERRI	THOMAS EDWARD BERGER	25792 CHEYENNE DR			NOVI, MI 48374----	31347864266	U
ARMENDARIZ, VICTOR H & IRENE	8296 LUCELLO TER NORTH				NAPLES, FL 34114----	31347853947	U
BABEKOVA, OSNAT	8020 CAILE CANOVAS ST				NAPLES, FL 34114----	31347864062	U
BARBARA A WALOWIT REV TRUST	7845 HAWTHORNE DRIVE UNIT 901				NAPLES, FL 34113----	49462000667	U
BARBARO, MATTHEW & MAUREEN	11 GEOFFREY LN				KINGS PARK, NY 11754---2920	49462000560	U
BARNETT, DAVID	PO BOX 344				GARDEN CITY, NY 11530---344	49462000803	U
BECKHAM, JEFFREY E & JULIE C	10172 HUMPHREY RD				CINCINNATI, OH 45242----	76463200280	U
BERT FAMILY IRREV TRUST	229 SUMMER CIR				E NORTHPORT, NY 11731----	49462001323	U
BERTUCIO, KIM	8082 CALLE CANOVAS ST				NAPLES, FL 34114----	31347864127	U
BIESER, H THOMAS	C/O CONTRACT LUMBER INC	3245 HAZELTON ETNA RD SW			PATASKALA, OH 43062---8532	49462000081	U
BISHOP, MICAH A & AUBREY S	66 ROSE APPLE LN				NAPLES, FL 34114----	00435840000	U
BOBECK SR, JOSEPH A & MARY S	32665 STONY BROOK LANE				OLON, OH 44139----	49462001349	U
BOFF, JOSEPH	STEVEN A BOFF	SANDRA L CERVINI-BOFF	7995 MAHOGANY RUN LN		NAPLES, FL 34113---1625	49462000463	U
BONVICINO, RICHARD P & DONNA J	8 JUNIPER AVENUE				MANALAPAN, NJ 07726----	76463200646	U
BOOTHBY REVOCABLE TRUST	8515 PALACIO TERR B				NAPLES, FL 34114----	31347854182	U
BRAUN, DOUGLAS & LORRAINE J	8078 CALLE STREET				NAPLES, FL 34114----	31347864101	U
BRUCE J LANGE & PAMELA E LANGE	2015 REVOCABLE TRUST	S52 W29355 RIDGEFIELD RD			WAUKESHA, WI 53189----	79904703188	U
BRUNELL, DANIEL J & JANET L	7805 HAWTHORNE DR #2604				NAPLES, FL 34113----	76463200565	U
BURGER, JAMES R	LINDA A COHEN	8394 VIALE CIRCLE			NAPLES, FL 34114----	31347861340	U
BURNS, WILLIAM R & VERONICA R	668 BERNARDSTON ROAD				GREENFIELD, MA 01301----	76463200109	U
BURZA, ILENE J	ROSEMARY MAMSCH	7855 HAWTHORNE TERR #1601			NAPLES, FL 34113----	49462001226	U
CANZONERI, JOHN & LINDA	20 LOUDONWOOD EAST				ALBANY, NY 12211----	31347860723	U
CAROL F MARTIN FM TRUST NO ONE	18938 RIVERS EDGE DR W				CHAGRIN FALLS, OH 44023---4966	49462000829	U
CAROLYN A THOMPSON REV TRUST	5650 MELROSE LN				NAPLES, FL 34114---2558	00433520005	U
CAROLYN A THOMPSON REV TRUST	GRACE Q JENKINS	PO BOX 425			EVERGLADES CITY, FL 34139---425	00436801200	U
CASELLA, ANTONELLA	16008 80TH ST				HOWARD BEACH, NY 11414---2917	79904706208	U
CHASE, ERIC C & CAROLINE M	7837 HAWTHORNE DR #1102				NAPLES, FL 34113----	49462000845	U
CHAUMILLON, DIDIER R & KIM E	3458 PALMER DR				SAUGATUCK, MI 49453----	79904706321	U
CHRISTINE M SQUARE TRUST	1287 GRAND CANAL DR				NAPLES, FL 34110----	00433240000	U
CHRISTINE M SQUARE TRUST	1287 GRAND CANAL DR				NAPLES, FL 34110----	00434440003	U
CHRISTOPHER, MEGAN ELIZABETH	8416 VIALE CIRCLE				NAPLES, FL 34114----	31347861463	U
CIAVARELLA, JOHN & TRACY W	20 LORRAINE DR				BEACON FALLS, CT 06403----	31347853989	U
CIPRIANI, DONALD	SHEILA D MCNICHOLAS	3342 W 107TH ST			CHICAGO, IL 60655----	79904703146	U
CISNEROS, JAIME & MARIA	17001 MORGAN DR				NAPLES, FL 34114---8925	00434960004	U
CISNEROS, JAIME & MARIE	17001 MORGAN DR				NAPLES, FL 34114---8925	00436800007	U
CLELAND, RON	7948 TIGER LILY DR				NAPLES, FL 34113---2633	49462001103	U
CODY, MICHAEL P	6857 MICHAELS CIRCLE				TINLEY PARK, IL 60477----	31347863788	U
COLLIER HMA INC	% ALTUS GROUP	PO BOX 92129			SOUTHLAKE, TX 76092----	00433440004	U
COLUCCI, GARY A & MARIA R	8021 CALLE CANOVAS COURT				NAPLES, FL 34114----	31347863982	U
CONNERTON, MICHAEL	LAURIE R DWYER	7785 HAWTHORNE DR #3104			NAPLES, FL 34113----	76463200963	U
CORTESE, CAROL M	8300 LUCELLO TER N				NAPLES, FL 34114----	31347853963	U
COULMAN, JANE E	10595 LAGUNA CIR				PLAIN CITY, OH 43064----	76463200222	U
CROCKER, DENNIS JOSEPH	COLIN JAYNE GABRESKI	8217 LUCELLO TER W			NAPLES, FL 34114----	31347860862	U
CURRERI, GIAMPAOLO & ROSE K	7805 HAWTHORNE DRIVE #2603				NAPLES, FL 34113----	76463200549	U
CURRIE, GAIL C	7581 GARIBALDI CT				NAPLES, FL 34114---2641	79904706143	U
DALE J & LINDA J DARMODY	REVOCABLE TRUST 2010	10676 MARINERS POINT DR #701	PO BOX 645		SISTER BAY, WI 54234----	76463201085	U

Attachment: Attachment E-Application 7-27-21 (17571 : PL20200002165, Rockledge RPUD PDI)

DANAHER, JAMES F & ANDREA C	128 MEDINAH DR			BLUE BELL, PA 19422---0	76463201001 U
DAVID L BRACKMAN TRUST	8094 CALLE CANOVAS ST			NAPLES, FL 34114---0	31347864185 U
DE LA TORRE, ANTHONY & HEATHER	262 ROSE APPLE LN			NAPLES, FL 34114---2556	00436120004 U
DEFAZIO-JAMES, PAULETTE T	HAROLD A JAMES	8102 CALLE CANOVAS ST		NAPLES, FL 34114---0	31347864224 U
DEMARCHI, THOMAS	7789 HAWTHORNE DR #3003			NAPLES, FL 34113---0	76463200866 U
DIBENEDETTO, VITTORIO	MARIE DIBENEDETTO	8098 CALLE CANOVAS ST		NAPLES, FL 34114---0	31347864208 U
DIBISCEGLIA, NICHOLAS M	GLADYS L DIBISCEGLIA	7467 EMILIA LN		NAPLES, FL 34114---2655	79904703243 U
DIPACE JR, SALVATORE & CAMILLE	6 MEADOW CT			OAKDALE, NY 11769---0	31347861502 U
DOBOS, TIBOR & ANDREA	8316 LUCELLO TER N			NAPLES, FL 34114---0	31347854043 U
DOLAN, EDWARD A & DONNA M	7821 HAWTHORNE DR #2202			NAPLES, FL 34113---0	76463200206 U
DOUGLAS, ROBERT J & DIANA LEE	7858 HAWTHORNE TERRACE #1404			NAPLES, FL 34113---0	49462001129 U
DYKES, RODNEY	2274 ROYAL LANE			NAPLES, FL 34112---0	00435160007 U
EATON, DEBRA	7457 EMILIA LN			NAPLES, FL 34114---2655	79904703269 U
EISAMAN, KARL E & CARMEN T	744 HEARTHSTONE CIR			GREENSBURG, PA 15601---0	76463200947 U
ELLIOTT, TENNESSEE RICK	PATRICIA ELLIOTT	8895 SHENENDOAH CIR		NAPLES, FL 34113---0	49462001161 U
ERIC J JACKSON TRUST	378 RIDGEWAY STREET			SAINT JOSEPH, MI 49085---0	76463200141 U
ERIC K WALTERS LIVING TRUST	518 GRATEN STREET			BIRMINGHAM, MI 48009---0	31347853840 U
ESPLANADA AT HACIENDA LAKES	HOMEOWNERS ASSOCIATION INC	28100 BONITA GRANDE DR	SUITE 203	BONITA SPRINGS, FL 34135---0	31347860202 U
ESPLANADA AT HACIENDA LAKES	HOMEOWNERS ASSOCIATION INC	28100 BONITA GRANDE DR	SUITE 203	BONITA SPRINGS, FL 34135---0	31347851185 U
ESPLANADA AT HACIENDA LAKES	HOMEOWNERS ASSOCIATION INC	28100 BONITA GRANDE DR	SUITE 203	BONITA SPRINGS, FL 34135---0	31347851208 U
ESPLANADA AT HACIENDA LAKES	HOMEOWNERS ASSOCIATION INC	28100 BONITA GRANDE DR	SUITE 203	BONITA SPRINGS, FL 34135---0	31347860040 U
ESPLANADA AT HACIENDA LAKES	HOMEOWNERS ASSOCIATION INC	28100 BONITA GRANDE DR	SUITE 203	BONITA SPRINGS, FL 34135---0	31347860066 U
ESPLANADA AT HACIENDA LAKES	HOMEOWNERS ASSOCIATION INC	28100 BONITA GRANDE DR	SUITE 203	BONITA SPRINGS, FL 34135---0	31347860082 U
ESPLANADA AT HACIENDA LAKES	HOMEOWNERS ASSOCIATION INC	28100 BONITA GRANDE DR	SUITE 203	BONITA SPRINGS, FL 34135---0	31347860105 U
ESPLANADA AT HACIENDA LAKES	HOMEOWNERS ASSOCIATION INC	28100 BONITA GRANDE DR	SUITE 203	BONITA SPRINGS, FL 34135---0	31347860121 U
ESPLANADA AT HACIENDA LAKES	HOMEOWNERS ASSOCIATION INC	28100 BONITA GRANDE DR	SUITE 203	BONITA SPRINGS, FL 34135---0	31347863102 U
ESPLANADA AT HACIENDA LAKES	HOMEOWNERS ASSOCIATION INC	28100 BONITA GRANDE DR	SUITE 203	BONITA SPRINGS, FL 34135---0	31347863128 U
ESPLANADA AT HACIENDA LAKES	HOMEOWNERS ASSOCIATION INC	28100 BONITA GRANDE DR	SUITE 203	BONITA SPRINGS, FL 34135---0	31347863144 U
ESPLANADA AT HACIENDA LAKES	HOMEOWNERS ASSOCIATION INC	28100 BONITA GRANDE DR	SUITE 203	BONITA SPRINGS, FL 34135---0	31347863160 U
ESPLANADA AT HACIENDA LAKES	HOMEOWNERS ASSOCIATION INC	28100 BONITA GRANDE DR	SUITE 203	BONITA SPRINGS, FL 34135---0	31347863186 U
ESPLANADA AT HACIENDA LAKES	HOMEOWNERS ASSOCIATION INC	28100 BONITA GRANDE DR	SUITE 203	BONITA SPRINGS, FL 34135---0	31347863283 U
EVOLVE DEVELOPMENT LLC	530 W FERRY			BUFFALO, NY 14222---0	76463201108 U
FANTASKI, MICHAEL P	DEBORAH L FANTASKI	8390 VIALE CIRCLE		NAPLES, FL 34114---0	31347861366 U
FAULKNER, CLIFFORD FRANCIS	SANDRA HARRISON FAULKNER	8 LUCY LN		GUILFORD, CT 06437---4701	79904703104 U
FISHER, JAMIE J	15 BEAGLE LAKE RD			NAPLES, FL 34114---2545	00435520003 U
FLEMING, DANIEL & MAUREEN	10 BUCKINGHAM DR			HOLBROOK, NY 11741---0	76463201124 U
FLESHMAN, ANDREA	4125 HILLTOP ROAD			MAHWAH, NJ 07430---0	31347864169 U
FLUET, SCOTT & PATRICIA	171 BLUFF POINT RD			S GLASTONBURY, CT 06073---3135	49462000942 U
FORESTAR USA REAL ESTATE	GROUP INC	4042 PARK OAKS BLVD	SUITE 200	TAMPA, FL 33610---0	00433040006 U
FORESTAR USA REAL ESTATE	GROUP INC	4042 PARK OAKS BLVD	SUITE 200	TAMPA, FL 33610---0	00433120007 U
FORESTAR USA REAL ESTATE	GROUP INC	4042 PARK OAKS BLVD	SUITE 200	TAMPA, FL 33610---0	00433480006 U
FORESTAR USA REAL ESTATE	GROUP INC	4042 PARK OAKS BLVD	SUITE 200	TAMPA, FL 33610---0	00433800000 U
FORESTAR USA REAL ESTATE	GROUP INC	4042 PARK OAKS BLVD	SUITE 200	TAMPA, FL 33610---0	00433880004 U
FORESTAR USA REAL ESTATE	GROUP INC	4042 PARK OAKS BLVD	SUITE 200	TAMPA, FL 33610---0	00434840001 U
FORESTAR USA REAL ESTATE	GROUP INC	4042 PARK OAKS BLVD	SUITE 200	TAMPA, FL 33610---0	00433160009 U
FORESTAR USA REAL ESTATE	GROUP INC	4042 PARK OAKS BLVD	SUITE 200	TAMPA, FL 33610---0	00436800104 U
FORESTAR USA REAL ESTATE	GROUP INC	4042 PARK OAKS BLVD	SUITE 200	TAMPA, FL 33610---0	00436800201 U
FORESTAR USA REAL ESTATE	GROUP INC	4042 PARK OAKS BLVD	SUITE 200	TAMPA, FL 33610---0	00436800308 U
FORESTAR USA REAL ESTATE	GROUP INC	4042 PARK OAKS BLVD	SUITE 200	TAMPA, FL 33610---0	00436360000 U
FORESTAR USA REAL ESTATE	GROUP INC	4042 PARK OAKS BLVD	SUITE 200	TAMPA, FL 33610---0	00436440001 U
FORESTAR USA REAL ESTATE	GROUP INC	4042 PARK OAKS BLVD	SUITE 200	TAMPA, FL 33610---0	00436520002 U
FORESTAR USA REAL ESTATE	GROUP INC	4042 PARK OAKS BLVD	SUITE 200	TAMPA, FL 33610---0	00436600003 U
FORESTAR USA REAL ESTATE	GROUP INC	4042 PARK OAKS BLVD	SUITE 200	TAMPA, FL 33610---0	00435400000 U
FORESTAR USA REAL ESTATE	GROUP INC	4042 PARK OAKS BLVD	SUITE 200	TAMPA, FL 33610---0	00436760008 U
FOX, PHILIP L & KATHIE A	7797 HAWTHORNE DR # 2802			NAPLES, FL 34113---0	76463200688 U
FRENCH FAMILY TRUST	13996 MIRROR DR			NAPLES, FL 34114---0	00436000001 U
FRIDLEY, SUSAN FELTS	7577 GARIBALDI CT			NAPLES, FL 34114---2641	79904706169 U
GAIL S ENDRESS LIVING TRUST	578 BECHERS JUMP			MUNROE FALLS, OH 44262---1757	49462000146 U
GARDINGER, MARTIN P	ELEANOR H SCHLESINGER	7873 HAWTHORNE DRIVE #201		NAPLES, FL 34113---0	49462000104 U
GARON, WILLIAM R & SUZANNE M	7793 HAWTHORNE DR #2904			NAPLES, FL 34113---0	76463200808 U
GARRIS, HENRY H & GINA M	8115 CALLE CANOVAS STREET			NAPLES, FL 34114---0	31347863348 U
GEORGE W MERRELL JR REV TRUST	8378 VIALE CIRCLE			NAPLES, FL 34114---0	31347854616 U
GJORGIEVSKI, MICHAEL & SARA M	5021 ANFIELD RD			WILLIAMSVILLE, NY 14221---0	76463201043 U
GLICKFIELD, RUTH W	7849 HAWTHORNE DR APT 803			NAPLES, FL 34113---3158	49462000625 U

GLICKFIELD, TODD A & SVETLANA	1807 N DUMONT DR			MARION, IN 46952---1338	49462000586 U
GOOTEE, GREGORY G & DONNA R	39 WOLFPACK RD			MERCERVILLE, NJ 08619---1350	49462001488 U
GOTLIB, CLAUDIO J & EVA J	7821 HAWTHORNE DR #2204			NAPLES, FL 34113---0	76463200248 U
GRANN, JEFF & RANDI	3943 JANE LN			OCEANSIDE, NY 11572---5928	49462001080 U
GREATER NAPLES FIRE	RESCUE DISTRICT	14575 COLLIER BLVD		NAPLES, FL 34119---0	00433720009 U
GREEN, FRANCIS GEORGE	DIANE T GREEN	7865 HAWTHORNE DRIVE	UNIT 404	NAPLES, FL 34113---0	49462000324 U
GREENBERG, ALLEN K	HARRIET E GREENBERG	11 BITTERSWEET LANE		SLINGERLANDS, NY 12159---0	76463200840 U
GRESE, DIANE M	5092 CERROMAR DR			NAPLES, FL 34112---7921	79904706224 U
GUIDRY, ANDREW M	256 ROSE APPLE LN			NAPLES, FL 34114---2555	00435920001 U
HABIBI REVOCABLE TRUST	8205 LUCELLO TERRACE WEST			NAPLES, FL 34114---0	31347860927 U
HAGEL, DEBORAH H & CHARLES W	916 SANCTUARY LANE			NAPERVILLE, IL 60540---0	31347863966 U
HARMER, DANNY E & ELIZABETH M	12 CRAIG ROAD			ISLIP TERRACE, NY 11752---0	76463200426 U
HAYES, KEVIN BRUCE	MARY SUZANNE TURGEON	7470 EMILIA LN		NAPLES, FL 34114---0	79904703162 U
HEINLE, STEPHEN J & NANCY L	17 ROBERTS RD			WARREN, NJ 07059---0	49462001284 U
HENDRICKSON, LAUREL M	7876 HAWTHORNE DR #1201			NAPLES, FL 34113---0	49462000900 U
HERALD, CYNTHIA J	1300 S HARKLESS DR # 7			SYRACUSE, IN 46567---1965	49462000861 U
HERNANDEZ, KENNETH J	CHERYL M HERNANDEZ	515 MOUNTAINVIEW AVE		VALLEY COTTAGE, NY 10989---0	31347854027 U
INNES, JUDITH A	266 ROSE APPLE LN			NAPLES, FL 34114---2556	00435600004 U
IRVING, LAWRENCE R & MARY	5 GROVERS COURT			PRINCETON JCTN, NJ 08550---0	49462001527 U
ISAROSKUL, SUNANTA	195 ROSE APPLE LN			NAPLES, FL 34114---2555	00435960003 U
J F SANFILIPPO NON EXMPT GST	8241 LUCELLO TERRACE WEST			NAPLES, FL 34114---0	31347860749 U
JAEGER, SUSAN	7865 HAWTHORNE DR #402			NAPLES, FL 34113---0	49462000285 U
JENNIFER A ABBO LIV TRUST	MIKE H YOUSIF LIV TRUST	740 HIGHWOOD DR		BLOOMFIELD HILLS, MI 48304---0	49462000405 U
JOAN E FILOSA TRUST	8 BAYBERRY ROAD			PLYMOUTH, MA 02360---0	76463200028 U
JOHN E MEYER & LORETTA A MEYER	REVOCABLE TRUST	2123 LOST DAUPHIN RD		DE PERE, WI 54115---0	76463200921 U
JOHNS JR EST, THOMAS A	TAMMY LEE JOHNS COMBS	6911 JOHNS RD		NAPLES, FL 34114---0	00435560005 U
JOHNS, RANDY & LORRAINE	4260 15TH AVE SW			NAPLES, FL 34116---0	00434520004 U
JOHNSON, HUBERT & MICHELE	63 PINES TREE DR			METHUEN, MA 01844---0	31347854483 U
JOJOKIAN, JACKSON HAGOP	SHERI ANNE P JOJOKIAN	8199 LUCELLO TERRACE SOUTH		NAPLES, FL 34114---0	31347860600 U
JONES, KEVIN T & SANDRA L	8086 CALLE CANOVAS ST			NAPLES, FL 34114---0	31347864143 U
JOURDEN, CYNTHIA C	8229 LUCELLO TER W			NAPLES, FL 34114---0	31347860804 U
K & D WISWELL REV TRUST	7857 HAWTHORNE DR #601			NAPLES, FL 34113---0	49462000421 U
KARYCKI, GERALD P & MARY ELLEN	7841 HAWTHORNE DRIVE #1001			NAPLES, FL 34113---0	49462000748 U
KASE, RONALD D & DONNA M	8324 LUCELLO TER N			NAPLES, FL 34114---0	31347854085 U
KASPER, KENNETH & EVELYN	7869 HAWTHORNE DR #302			NAPLES, FL 34113---3143	49462000201 U
KASSHAM LLC	10507 EMERALD CHASE DR			ORLANDO, FL 32839---0	31347860707 U
KEENE POWER OF APPOINTMENT	DESCENDANTS TRUST	% US BANK AS CO-TRUSTEE	PO BOX 64142	ST PAUL, MN 55164---0	79904706363 U
KELLER, JOHN J & JENNIFER R	7793 HAWTHORNE DR #2902			NAPLES, FL 34113---0	76463200769 U
KELLER, LANETTE K	8272 LUCELLO TER N			NAPLES, FL 34114---0	31347853824 U
KENDALL R PAULSON & WENDI R	PAULSON DEC OF TRUST	675 LAKEVIEW DR #4		EAST TAWAS, MI 48730---0	49462000926 U
KENNETH E KANGAS REV TRUST	7956 TIGER LILY DR			NAPLES, FL 34113---2633	49462001187 U
KEPLER, PHYLLIS J	MICHAEL TISDALE	6905 JOHNS ROAD		NAPLES, FL 34114---0	00435240008 U
KEPLER, PHYLLIS J	PO BOX 78			TAVERNIER, FL 33070---0	00436800803 U
KIER, JAMES N & NANCY M	7825 HAWTHORNE DR #2102			NAPLES, FL 34113---0	76463200125 U
KING, JOSEPH A & CHARLANE G	8352 LUCELLO TER N			NAPLES, FL 34114---0	31347854221 U
KINGSBURY, KENNETH A	GLORIA J KINGSBURY	8079 CALLE CANOVAS ST		NAPLES, FL 34114---0	31347863526 U
KNAPP, JOHN LESTER	PATRICIA ANN BRAWNER	8340 LUCELLO TER N		NAPLES, FL 34114---0	31347854166 U
KNOTEK, THOMAS & RENNA	8432 VIALE CIR			NAPLES, FL 34114---0	31347861544 U
KOTTKE, CHERYL L	7845 HAWTHORNE DRIVE #902			NAPLES, FL 34113---0	49462000683 U
KRUPAVICIUTE, GINTARE	GLENN M TORRES SANTIAGO	8213 LUCELLO TER WEST		NAPLES, FL 34114---0	31347860888 U
KURAS, DENNIS ANTHONY	ELIZABETH S KURAS	8062 PRINCETON DR		NAPLES, FL 34104---0	31347861382 U
KUZNIAR, JOHN & JOAN	7789 HAWTHORNE DR #3001			NAPLES, FL 34113---0	76463200824 U
LABIANCA, CHRISTOPHER	20 THACKERAY DRIVE			ROSELAND, NJ 07068---0	49462000308 U
LACEY, THOMAS CHRISTOPHER	BARBARA ANN LACEY	1095 RED CLOVER DRIVE		NAPERVILLE, IL 60564---0	49462001048 U
LAIDLAW, RICHARD A	STEPHANIE A LAIDLAW	573 CHINNOCK LANE		RIVER FALLS, WI 54022---0	31347864282 U
LANDO, ANDREW & LISA	6 VANCLEVE RD			MANALAPAN, NJ 07726---0	76463200523 U
LAPPA JR, LOUIS E	DONALD D LAUSCHE	8328 LUCELLO TER N		NAPLES, FL 34114---0	31347854108 U
LAURIA, LUCIA & EDUARDO	8446 VIALE CIRCLE			NAPLES, FL 34114---0	31347861609 U
LEE K ORMEROD REV TRUST	7873 HAWTHORNE DR UNIT 204			NAPLES, FL 34113---3144	49462000162 U
LELY RESORT MASTER PROPERTY	OWNERS ASSOCIATION INC	2639 PROFESSIONAL CIR #101		NAPLES, FL 34119---0	00432961018 U
LEPORE, GIUSEPPE & MARIA T	7 KINGWOOD LANE			POUGHKEEPSIE, NY 12601---0	76463200743 U
LERDON, MARC J	10591 REGENT CIRCLE			NAPLES, FL 34109---1826	00436800405 U
LINE DRIVE PROP NAPLES LLC	3245 HAZELTON ETNA ROAD SW			PATASKALA, OH 43062---0	49462000049 U
LISA NICOLAISEN R/L TRUST	123 WEST WASHINGTON AVE			MADISON, WI 53703---0	49462000340 U

LISA PERRI GREGORY J BERSIE	REVOCABLE LIFETIME TRUST	8253 LUCELLO TER WEST	NAPLES, FL 34114----	31347860684 U
LOIS R LYNCH DEC OF TRUST	7462 EMILIA LN		NAPLES, FL 34114---2635	79904703120 U
LOMBARDO, MICHAEL S & MARY F	8332 LUCELLO TERR NORTH		NAPLES, FL 34114----	31347854124 U
LOWE, JAMES B & KATHY M	7858 HAWTHORNE TER #1401		NAPLES, FL 34113----	49462001064 U
LOWSKY, JOHN M & ROSEMARIE	8386 VIALE CIR		NAPLES, FL 34114----	31347854506 U
LUTHER, MARIO L & NANNETTE R	552 BEECH HILLS RD		JEANNETTE, PA 15644----	76463200882 U
MACUMBER, DAVE	8107 CALLE CANOVAS ST		NAPLES, FL 34114----	31347863380 U
MAGRUDER, HAROLD MICHAEL	TAMMI LYNN MAGRUDER	7801 HAWTHORNE DRIVE #2701	NAPLES, FL 34113----	76463200581 U
MALAKOFF, DAVID	CAROL SWARTZ	8292 LUCELLO TER N	NAPLES, FL 34114----	31347853921 U
MANGANARO, JOSEPH	JEFFREY MANGANARO	P O BOX 389	RIDGEWOOD, NJ 07450----	49462000706 U
MARCOUX, WALTER N & MAUREEN F	174 WEST FLAMINGO CIRCLE		MARCO ISLAND, FL 34145---4450	49462000968 U
MASCIARELLI, JAMES PETER	JUDITH MARIA MASCIARELLI		NAPLES, FL 34113----	49462000447 U
MASON, ROBERT A & MARY LOU	7821 HAWTHORNE DR #2201	7857 HAWTHORNE DR #602	NAPLES, FL 34113----	76463200183 U
MATTHEWS, MATTHEW ADAM	8025 CALLE CANOVAS CT		NAPLES, FL 34114----	31347864004 U
MAXWELL, WILLIAM J	771 PARK AVE		NAPLES, FL 34110----	00433760001 U
MC GUIRE, ELIZABETH A	8288 LUCELLO TER N		NAPLES, FL 34114---8150	31347853905 U
MCCAFFERTY, GARY E & ANN E	6 EASTBURN DR		NEW HOPE, PA 18938----	76463200620 U
MCCLEARN, THOMAS P	CATHERINE H MCCLEARN	7841 HAWTHORNE DR #1002	NAPLES, FL 34113----	49462000764 U
MCDONALD, DAVID CHARLES	GAYE PATTERSON MCDONALD	8268 LUCELLO TER N	NAPLES, FL 34114----	31347853808 U
MCGRRAW, BETSY	8404 VIALE CIR		NAPLES, FL 34114----	31347861405 U
MEACHAM REVOCABLE TRUST	7781 HAWTHORNE DR #3201		NAPLES, FL 34113----	76463200989 U
MELANIE W HARPER REV LIV TRUST	8036 CALLE CANOVAS CT		NAPLES, FL 34114----	31347863720 U
MEOLA, JOHN J & CAROL A	41 ZELLERS RD		LONG VALLEY, NJ 07853---3643	49462000544 U
MERRILL, WAYNE R & DONNA J	7855 HAWTHORNE TER UNIT 1602		NAPLES, FL 34113---3161	49462001242 U
MILLER, SARAH S & ROBERT BRET	7837 HAWTHORNE DR #1104		NAPLES, FL 34113----	49462000887 U
MITCHELL, STEVEN B & VIRGINIA	7781 HAWTHORNE DR #3203	8225 LUCELLO TER W	NAPLES, FL 34113----	76463201027 U
MOTLUCK, JEFFERY C	MATTHEW CHARLES PECK		NAPLES, FL 34114----	31347860820 U
MURPHY, JAMES P	7869 HAWTHORNE DR #304		NAPLES, FL 34113----	49462000243 U
MURRAY, ELIZABETH G	8060 CALLE CANOVAS COURT		NAPLES, FL 34114----	31347863607 U
NANCY G LUCAS TRUST	7561 GARIBALDI CT		NAPLES, FL 34114---2641	79904706240 U
NICHOLAS KOLLINIATIS TRUST	YOLANDA KOLLINIATIS TRUST	15600 PLUM TREE DRIVE	ORLAND PARK, IL 60462----	76463200604 U
NICHOLSON, ROBERT L & EMILY E	2601 OLD HICKORY CT		HERMITAGE, PA 16148----	49462000609 U
NILSEN, THOMAS W & ROBIN A	8111 CALLE CANOVAS ST		NAPLES, FL 34114----	31347863364 U
NIRO, PATRICK N	129 RIDGE ROAD		RUMSON, NJ 07760----	31347861560 U
OCONNOR JR, BARTLY F	ROSEMARIE C OCONNOR	26 JUDITH CIR	DEDHAM, MA 02026----	76463200905 U
OOSTDYK PALMS LLC	355 RT 23		SUSSEX, NJ 07461----	49462001145 U
ORLOWSKI JR, NORMAN J	PAULA M ORLOWSKI	7849 HAWTHORNE DRIVE #804	NAPLES, FL 34113----	49462000641 U
OSMON, JAMES BLAKE	KATHLEEN MURIEL OSMON	7191 MARCONI COURT	NAPLES, FL 34114----	31347863461 U
PANICUCCI, ROGER C & HELEN C	8348 LUCELLO TER N		NAPLES, FL 34114----	31347854205 U
PATOLAWALA, MONISH & ANURADHA	5803 WOODMERE DR		HINSDALE, IL 60521----	49462001022 U
PATTY L OSBORN LIV TRUST	7541 GARIBALDI CT		NAPLES, FL 34114---2641	79904706347 U
PENSA, ANTONIO F & CAROLINE P	7854 HAWTHORNE TER #1302		NAPLES, FL 34113----	49462001006 U
PENSA, FRANK & DONNA	22 NEWPORT STREET		JAMESTOWN, RI 02835----	49462000269 U
PENZA, ALFRED A & TARA A	17 STANFIELD LANE		BROOMALL, PA 19008----	76463200468 U
PERCARPIO, WILLIAM & LORRAINE	8087 CALLE CANOVAS ST		NAPLES, FL 34114----	31347863487 U
PICCOLA, LOUIS A & BARBARA A	295 STIRRUP DR	59 MANORS DRIVE	FREEHOLD, NJ 07728----	76463201069 U
PICCOLA, RICHARD	WENDY KORNFELD		JERICO, NY 11753----	76463200662 U
PIPTONE, CHARLES ANTHONY	272 ROSE APPLE LN		NAPLES, FL 34114----	00436080005 U
PRAUSE, DONALD & JOANNE M	8186 LUCELLO TER S		NAPLES, FL 34114----	31347861007 U
R H & EMILY R PELTZ LIV TRUST	3803 STEEPLECHASE DRIVE		CARMEL, IN 46032----	49462001268 U
RACHELLE, JOSEPH L & THERESA A	7813 HAWTHORNE DRIVE #24-01		NAPLES, FL 34113----	76463200345 U
RAGLAND, JOHN M & KATHRYN S	7877 HAWTHORNE DR UNIT 101		NAPLES, FL 34113---3146	49462000023 U
RAMIREZ, MODESTO SANTIAGO	1149 12TH AVE NE		NAPLES, FL 34120----	00435200006 U
RATHJE II, PAUL C & SHERRIE L	8195 LUCELLO TERENCE SOUTH		NAPLES, FL 34114----	31347860587 U
RAUSCH, LYNN D	8237 LUCELLO TER W		NAPLES, FL 34114----	31347860765 U
RED BIRD COTTAGE LLC	525 BAREFOOT WILLIAMS RD	PMB #400	NAPLES, FL 34113----	00433600006 U
REGINA ORLICK 2017 REV TRUST	7829 HAWTHORNE DR #2002		NAPLES, FL 34113----	76463200044 U
REIS, JAY S & SHARON L	7841 HAWTHORNE DRIVE #1003		NAPLES, FL 34113----	49462000780 U
RETZER, MICHAEL P & LAURA A	7845 HAWTHORNE DR #904		NAPLES, FL 34113----	49462000722 U
RICH, PHILIP & CLAIRE	8284 LUCELLO TER N		NAPLES, FL 34114----	31347853882 U
RICHARD W DOHERTY JR TRUST	PAMELA S DOHERTY TRUST	8442 VIALE CIR	NAPLES, FL 34114----	31347861586 U
RIZZO, JACQUELINE G	5204 VETERANS DR		WHARTON, NJ 07885----	31347861447 U
ROBB, ROBERT D & TERI J	33160 WEST SHADY BEACH LANE		PEQUOT LAKES, MN 56472----	31347863801 U
ROMERO, YINA ANDREA	JORGE A RAMOS	8095 CALLE CANOVAS ST	NAPLES, FL 34114----	31347863445 U

[illegible]

3 WOODSWORTH COURT
58 BURNETT TER
8106 CALLE CANOVAS ST
7838 HAWTHORNE DR #1802
UNIT 202
8099 CALLE CANOVAS ST

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31347861489 U
49462000188 U
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00435040004 U
00436280009 U
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79904706185 U
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31347854247 U
49462001404 U
49462000984 U
49462000120 U
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49462000502 U
79904703201 U
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31347861285 U
31347861308 U
31347861324 U
31347863089 U
31347863403 U

TAYLOR MORRISON OF FL INC	551 N CATTLEMEN RD # 200				SARASOTA, FL 34232---0	31347863500 U
TAYLOR MORRISON OF FL INC	551 N CATTLEMEN RD # 200				SARASOTA, FL 34232---0	31347863542 U
TAYLOR MORRISON OF FL INC	551 N CATTLEMEN RD # 200				SARASOTA, FL 34232---0	31347863568 U
TAYLOR MORRISON OF FL INC	551 N CATTLEMEN RD # 200				SARASOTA, FL 34232---0	31347863584 U
TAYLOR MORRISON OF FL INC	551 N CATTLEMEN RD # 200				SARASOTA, FL 34232---0	31347863623 U
TAYLOR MORRISON OF FL INC	551 N CATTLEMEN RD # 200				SARASOTA, FL 34232---0	31347863649 U
TAYLOR MORRISON OF FL INC	551 N CATTLEMEN RD # 200				SARASOTA, FL 34232---0	31347863665 U
TAYLOR MORRISON OF FL INC	551 N CATTLEMEN RD # 200				SARASOTA, FL 34232---0	31347863681 U
TAYLOR MORRISON OF FL INC	551 N CATTLEMEN RD # 200				SARASOTA, FL 34232---0	31347863704 U
TAYLOR MORRISON OF FL INC	551 N CATTLEMEN RD # 200				SARASOTA, FL 34232---0	31347863746 U
TAYLOR MORRISON OF FL INC	551 N CATTLEMEN RD # 200				SARASOTA, FL 34232---0	31347863762 U
TAYLOR MORRISON OF FL INC	551 N CATTLEMEN RD # 200				SARASOTA, FL 34232---0	31347863827 U
TAYLOR MORRISON OF FL INC	551 N CATTLEMEN RD # 200				SARASOTA, FL 34232---0	31347864020 U
TAYLOR MORRISON OF FL INC	551 N CATTLEMEN RD # 200				SARASOTA, FL 34232---0	31347864046 U
TAYLOR MORRISON OF FL INC	551 N CATTLEMEN RD # 200				SARASOTA, FL 34232---0	31347864088 U
TAYLOR, MICHAEL A & LYNN	4471 S OLD RICHARDSON RD				BLOOMINGTON, IN 47401---0	00435800008 U
TICE, RICHARD J & ROSEMARIE	34 RADCLIFF AVE				PT WASHINGTON, NY 11050---0	79904706282 U
TOBIN, CHRISTIAN	7471 EMILIA LN				NAPLES, FL 34114---0	79904703227 U
TORO, ANTHONY J & PATRICIA G	8408 VIALE CIRICE				NAPLES, FL 34114---0	31347861421 U
TRANCHINI, JOSEPH V & CARLA J	3209 SILER DR				FINLEYVILLE, PA 15332---0	31347854140 U
TULLY, JAMES A	7859 HAWTHORNE TERR #1504				NAPLES, FL 34113---0	49462001200 U
TURCO, FRANCES & IPPOLITO	16045 86TH ST				HOWARD BEACH, NY 11414---3031	79904706127 U
VAN WYK, PETER C & AMY L	7549 GARIBALDI CT				NAPLES, FL 34114---0	79904706305 U
VANBERKEL, MARK & COLETTE	7829 HAWTHORNE DR #2004				NAPLES, FL 34113---0	76463200086 U
VERONAWALK COMM DEVEL DIST	% SPECIAL DISTRICT SERVICES	THE OAKS CENTER	2501 BURNS RD STE A		PALM BEACH GARDE, FL 33410---5207	79904700042 U
VERONAWALK COMM DEVEL DIST	% SPECIAL DISTRICT SERVICES	THE OAKS CENTER	2501 BURNS RD STE A		PALM BEACH GARDE, FL 33410---5207	79904705047 U
VERONAWALK HMOOWNERS ASSOC INC	8090 SORRENTO LANE #1				NAPLES, FL 34114---0	79904115585 U
VERONAWALK HOMEOWNERS ASSO INC	8090 SORRENTO LN #1				NAPLES, FL 34114---0	79904700026 U
VERONAWALK HOMEOWNERS ASSO INC	8090 SORRENTO LN #1				NAPLES, FL 34114---0	79904700084 U
VERONAWALK HOMEOWNERS ASSO INC	8090 SORRENTO LN #1				NAPLES, FL 34114---0	79904700181 U
VERONAWALK HOMEOWNERS ASSOC	8090 SORRENTO LANE STE 1				NAPLES, FL 34114---0	79904705021 U
VERONAWALK HOMEOWNERS ASSOC	8090 SORRENTO LANE STE 1				NAPLES, FL 34114---0	79904705089 U
VOIGTSBERGER, LAWRENCE F	CHRISTINA MIRA VOIGTSBERGER	36 N MORRIS AVE			FARMINGVILLE, NY 11738---0	79904706266 U
WALTON, DORIS F	255 ROSE APPLE LN				NAPLES, FL 34114---2555	00435720007 U
WALTON, RUSSELL	269 ROSE APPLE LN				NAPLES, FL 34114---2555	00435680008 U
WAUTERS, KEITH B & JILL S	7797 HAWTHORNE DR #2803				NAPLES, FL 34113---0	76463200701 U
WEBER, STEVEN H	JACQUELINE COMPRONE WEBER	111 DANIEL SHAYS HWY UNIT 20			BELCHERTOWN, MA 01007---0	49462001307 U
WEINSTEIN, RICHARD & IRENE	50 MASTERS DR				MONROE TOWNSHIP, NJ 08831---0	76463200167 U
WERNER, DENNIS G & PATRICIA L	28W430 DIVERSEY PKWY				WEST CHICAGO, IL 60185---1407	49462000227 U
WHITE, LAWRENCE	MARIA T JARAMILLO	7861 HAWTHORNE DR UNIT 502			NAPLES, FL 34113---3141	49462000366 U
WILLIAMS, JOHN M & SUSAN V	7809 HAWTHORNE DRIVE UNIT 2502				NAPLES, FL 34113---0	76463200442 U
WILLIS, RANDALL L & JUDY C	101 WINSTON AVE				ATLANTIC BEACH, NC 28512---0	49462001462 U
WIRTH, RICHARD D & PATRICIA A	921 SORREL CT				CAROL STREAM, IL 60188---0	76463200507 U
WOLF, ELSA	79 BRADFIELD DR				EAST AMHERST, NY 14051---0	31347861528 U
YOEL, MICHAEL L & ANN LEE	10 RIVERWALK				WEATOGUE, CT 06089---0	76463200329 U
YOUNG, DEBRA L	8320 LUCELLO TER N				NAPLES, FL 34114---0	31347854069 U
ZAMIA CORP	7988 TIGER LILY DR				NAPLES, FL 34113---2633	00433080008 U
REFERENCE ONLY	HAWTHORNE AT LELY RESORT	A CONDOMINIUM				00438700008 N
REFERENCE ONLY	TASORI AT LELY RESORT	A CONDOMINIUM				00432961102 N
CHISHOLM, JOHN ANTHONY	SOPHIA CHISHOLM	5026 SOUTHWOOD LAKES BLVD			WINDSOR N9G 2R2 CANADA	76463200484 F
COHEN, DESMOND & JOAN	22 LAS SABINAS	LOS ARCOS	SAN PEDRO ALCANTARA	MARBELLA	MALAGA 29670 SPAIN	49462001420 F
DEYARMOND, WAYNE A	MARGARET J DEYARMOND	53 MADELINE DRIVE			COLLINGWOOD L9Y 0T9 CANADA	76463200361 F
FRIDMAN, AMIL & RITA	80 LEAMEADOW RD				THORNHILL L4J 8T5 CANADA	49462001381 F
KOLODY, DAVID M	COREY W PRINCE	13206 RIVERSIDE DRIVE E			TECUMSEH N8N 2M6 CANADA	49462001446 F
LYNCH, PAULA & EDWARD	209 DEER RIDGE DRIVE				KITCHENER N2P 2K5 CANADA	76463200264 F
NAGY, BEATRIX	101 SUBWAY CRESCENT #PH302				TORONTO M9B 6K4 CANADA	76463200060 F
WHYTE, INGRID	PO BOX 88002	CLIFFCREST PLAZA			SCARBOROUGH M1M 3W1 CANADA	49462000489 F



Sign-In Sheet

**Neighborhood Information Meeting: Rockedge (aka Tamarindo) PDI
4/28/2021 at 5:30pm**

[illegible]













MEMORANDUM

DATE: April 30, 2021

TO: Nancy Gundlach, AICP, PLA, Principal Planner
Collier County – Growth Management Department: Zoning Services

FROM: Kenrick S. Gallander, AICP
Director of Planning
RWA Engineering 

PROJECT NAME: Tamarindo PDI CAT Stop – (PL#: 20200002165)

SUBJECT: Neighborhood Information Meeting – Summary

A Neighborhood Information Meeting (NIM) was held on April 29, 2021, at 5:30pm at the Shepherd of the Glades Church, 6020 Rattlesnake Hammock Rd., Naples, FL 34112.

Attendees are as follows:

- Kenrick Gallander, Director of Planning – RWA Engineering
- Blake Finnegan, Associate Planner – RWA Engineering
- John Williams, Vice President – RWA Engineering
- Nancy Gundlach, Principal Planner – Collier County
- Please refer to the attached Sign-In Sheet and NIM ZOOM Reservation Tracker Sheet for all other attendees.

Intro Summary (Started at 5:30 p.m.):

Mr. Gallander began the meeting introducing himself with RWA Engineering, agent for the applicant/landowner and James Ratz from Forestar Inc, representing the Landowner. Due to the meeting being done virtually as well, he ensured those attending via Zoom could hear and see the meeting online. Once confirmed, Mr. Gallander proceeded to outline the meeting, which would include a brief presentation and following the presentation would have time for questions and answers.

6610 Willow Park Drive, Suite 200, Naples, Florida 34109 • (239) 597-0575, fax: (239) 597-0578 • www.consult-rwa.com

The presentation included a description of the subject property location and details of the property. Mr. Gallander went on to further detail and explain the existing conditions relevant to this request currently under review by Collier County. Mr. Gallander detailed the challenges and opportunities related to the CAT stop installation due to location of the stop next to a canal and minimal land area to work with to provide adequate access to the public. Finally, Mr. Gallander reviewed the request entailing amending the existing transportation commitment to provide a payment in lieu option for the developer to make to the county in order to utilize the funds in the future based on agreed upon location and design for the CAT stop and as they see fit and at the appropriate time. The next steps regarding the review process and public hearings in the future specific to this request were then outlined.

Then Mr. Gallander concluded the presentation and then opened the floor for questions/comments/input from those in attendance.

Questions/Comments asked or offered at the meeting:

Q/C: What kind of homes are they?

A: Single family detached.

Q/C: How many homes are they building?

A: They are allowed up to 266 dwelling units.

Q/C: Where on the map will the homes go?

A: You can see on the map, everything within the black line is where the homes will be placed.

Q/C: Will the landscaping business stay?

A: Yes.

Q/C: How much will the homes be?

A: I do not know exactly. I am sure they will be priced according to the market.

Q/C: When do they plan to start construction?

A: Towards November or December.

The meeting adjourned at approximately 5:54 p.m.



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): 20200002165

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

Name: Nicolas Aparicio, Florida Region President

Date: 7-13-2021

Signature: 

☒ Applicant*

☐ Legal Counsel to Applicant

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

Attachment: HEX Hybrid Meeting Waiver 7-15-21 (17571 : PL20200002165, Rockledge RPUD PDI)

08/12/2021

COLLIER COUNTY
Collier County Hearing Examiner

Item Number: 3.B

Item Summary: PETITION NO. CU- PL20200001823, South Florida Gas- Request for approval of a Conditional Use to allow a liquid propane storage and distribution facility pursuant to Section 2.03.04.A.1.c.23 of the Collier County Land Development Code on a 0.92± acre property located on the east side of Recycling Way approximately 0.4 miles north of Tamiami Trail East (US 41) in Section 18, Township 51 South, Range 27 East, Collier County, Florida. [Coordinator: John Kelly, Senior Planner] Commission District 1

Meeting Date: 08/12/2021

Prepared by:

Title: Planner – Zoning

Name: John Kelly

07/26/2021 6:50 PM

Submitted by:

Title: – Zoning

Name: Mike Bosi

07/26/2021 6:50 PM

Approved By:

Review:

Growth Management Operations & Regulatory Management	Kenneth Kovensky	Review Item	Completed
Hearing Examiner (GMD Approvers)	Diane Lynch	Review Item	Completed 07/27/2021 12:39 PM
Zoning	Ray Bellows	Review Item	Completed 07/27/2021 1:25 PM
Zoning	Mike Bosi	Zoning Director Review	Completed 07/28/2021 10:28 AM
Hearing Examiner	Andrew Dickman	Meeting Pending	08/12/2021 9:00 AM



STAFF REPORT

TO: COLLIER COUNTY HEARING EXAMINER

FROM: ZONING DIVISION – ZONING SERVICES SECTION
GROWTH MANAGEMENT DEPARTMENT

HEARING DATE: AUGUST 12, 2021

SUBJECT: PETITION CU-PL20200001823, SOUTH FLORIDA GAS

PROPERTY OWNER/AGENT:

Owner: NBC Land Holdings, LLC
2338 Immokalee Rd., Suite 435
Naples, FL 34110

Applicant: C&S Land Holdings II, LLC
7970 Supply Dr.
Fort Myers, FL 33912

Agent: Daniel DeLisi, AICP
DeLisi, Inc.
520 27th St.
West Palm Beach, FL 33407

REQUESTED ACTION:

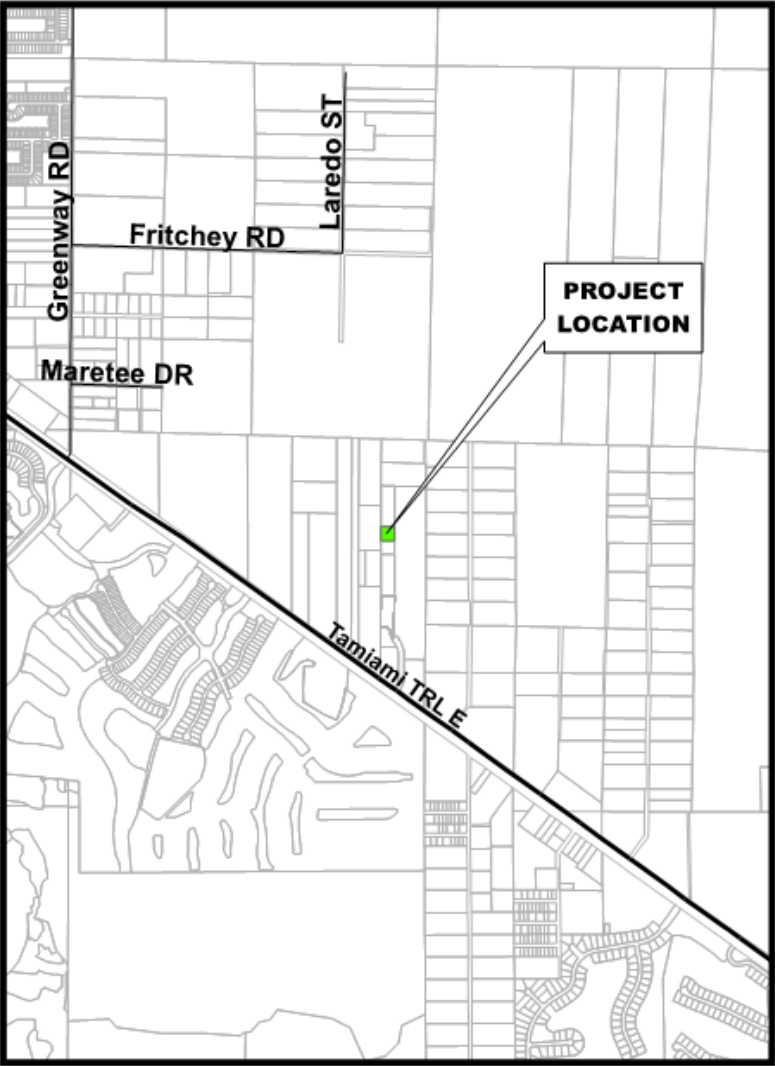
To have the Collier County Hearing Examiner (HEX) consider an application for Conditional Use No. 23, wholesale trade-nondurable goods, of the Industrial (I) Zoning District, as provided in Section 2.03.04.A.1.c of the Collier County Land Development Code (LDC) to permit a South Florida Gas liquid propane (LP) gas storage and distribution facility on 0.92± acres.

GEOGRAPHIC LOCATION:

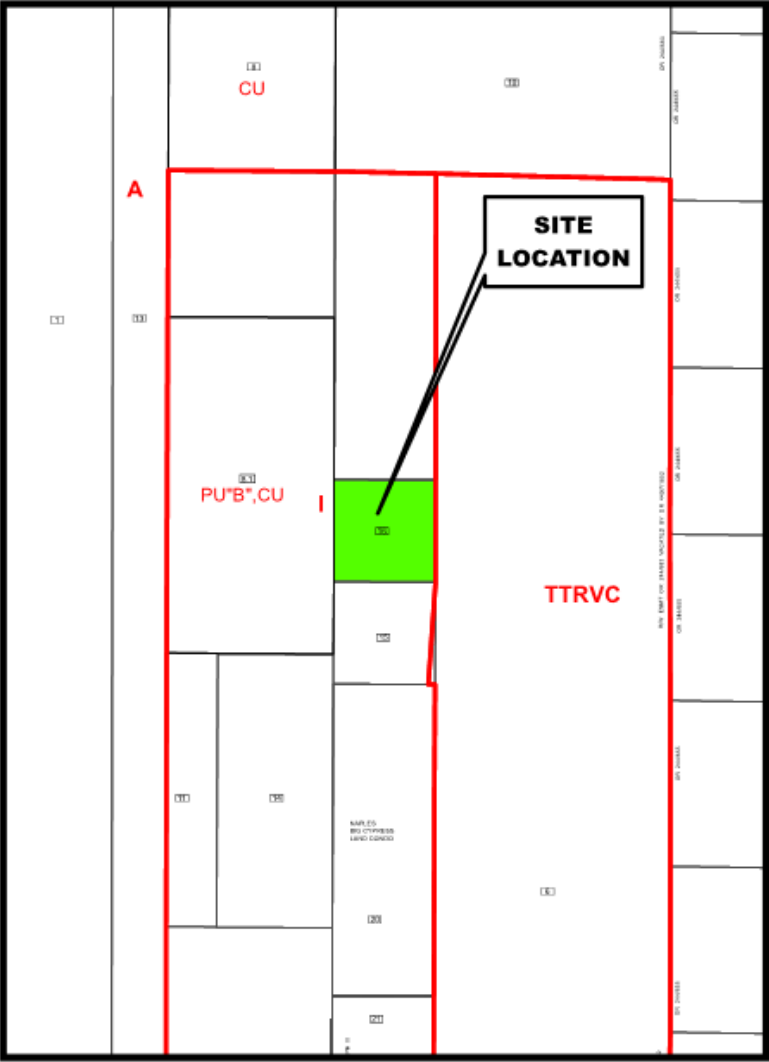
The subject parcel is located on the east side of Recycling Way approximately 0.4 miles north of Tamiami Trail East (US 41) in Section 18, Township 51 South, Range 27 East, Collier County, Florida. *(See location map on the following page)*

PURPOSE/DESCRIPTION OF PROJECT:

The petitioner seeks a Conditional Use to construct and operate an unmanned LP gas storage and bulk distribution facility; SIC Codes 5171 and 5172. The facility will comprise an 8-foot by 10-foot utility building containing the electrical shut-off and safety equipment as well as one
(Continued on Page 4)

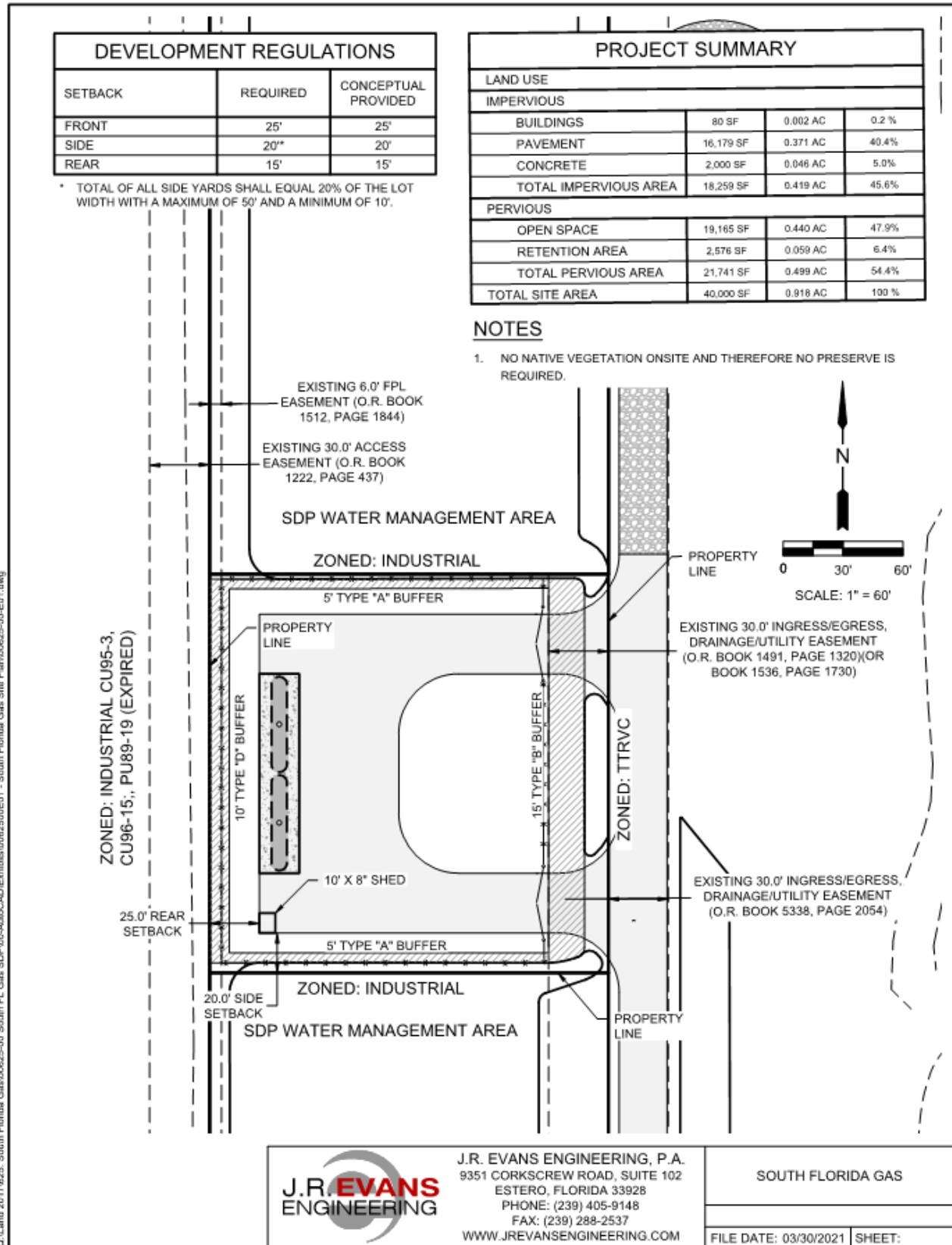


Location Map



Zoning Map

Petition Number: PL20200001823



Conditional Use Site Plan

(Continued from Page 1)

or two LP gas storage tanks with a combined volume of up to 48,000 gallons.

The operating characteristics for this project were provided by the applicant. This facility is being designed to operate as a refill facility for South Florida Gas delivery trucks for the servicing of customers located in Collier County. There are no ancillary uses proposed; the site will have no retail sales, no parking/storage of vehicles, and there is no office. The operator desires to eliminate return trips to Lee County for the sole purpose of refilling their delivery trucks which will depart Lee County full. The facility is being designed for peak season use; however, it is believed use of the facility will be substantially less off-season. In-season, the operator expects to have one large truck service the LP storage tank(s) per week; a smaller LP delivery truck or trucks will then use the facility to refill and complete their scheduled delivery assignments. The subject LP gas storage and distribution facility will operate Monday through Saturday from 8:00 A.M. to 5:00 P.M.

The Concept Plan has been designed with consultation from the Fire District on location and orientation of the storage tanks, access and safety measures; additional consultation will be undertaken at the time of formal site development plan review. Said Concept Plan provides buffering and demonstrates ingress/egress from two full access connections to Basik Drive. Basik Drive Connects to Tamiami Trail East (US 41) with an existing full access opening. This project is located within the Big Cypress Market Place Phase 3 development area and is identified Outparcel 2 (Phase 3B) on the most current approved Site Development Plan; See Attachment C. As per the provided Transpiration Impact Statement (TIS) this project will not create any significant impacts to the area roadway network; see Attachment B.

SURROUNDING LAND USE AND ZONING:

This section of the staff report identifies the land uses and zoning classifications for properties surrounding the boundaries of the subject property, which is undeveloped and within an Industrial (I) Zoning District.:

North: Undeveloped, located in the Big Cypress Market Place Phase 3 development which is within an Industrial (I) Zoning District.

East: Outside storage of recreational vehicles; property is located within the Rural Fringe Receiving area and within a Travel Trailer Recreational Vehicle Campground (TTRVC) Zoning District.

South: Undeveloped, located in the Big Cypress Market Place Phase 3 development which is within an Industrial (I) Zoning District.

West: Recycling Way (Right-of-Way) followed by an auto salvage yard (CU-953, BZA Resolution 96-15) located within an Industrial (I) Zoning District.



SOUTH FLORIDA GAS
AERIAL EXHIBIT

SOUTH FLORIDA GAS - AERIAL EXHIBIT.DWG
September 16, 2020

GROWTH MANAGEMENT PLAN (GMP) CONSISTENCY:

Comprehensive Planning staff has reviewed this request and offered the following comments:

Future Land Use Element (FLUE): The subject site is designated in the FLUE as Agricultural/Rural, Rural Industrial District. The Rural Industrial District states: Intensities of use shall be those related to (including): FLUE page 94 (c) storage and warehousing and distribution. The proposed use is liquid propane gas storage system for bulk distribution. No individual retail sale on the site. The applicant has applied for a Conditional Use to allow for wholesale trade-durable goods use (5171 or 5172). Both are allowed by Conditional use in the industrial zoning. The proposed uses are consistent with the Future Land Use Element of the Growth Management Plan.

Transportation Element: The Transportation Services Division has reviewed this petition and has determined the project is consistent with Policy 5.1 of the Transportation Element of the GMP, which states,

“The County Commission shall review all rezone petitions, SRA designation applications, conditional use petitions, and proposed amendments to the Future Land Use Element (FLUE) affecting the overall countywide density or intensity of permissible development, with consideration of their impact on the overall County transportation system, and shall not approve any petition or application that would directly access a deficient roadway segment as identified in the current AUIR or if it impacts an adjacent roadway segment that is deficient as identified in the current AUIR, or which significantly impacts a roadway segment or adjacent roadway segment that is currently operating and/or is projected to operate below an adopted Level of Service Standard within the five year AUIR planning period, unless specific mitigating stipulations are also approved. A petition or application has significant impacts if the traffic impact statement reveals that any of the following occur:

- a. For links (roadway segments) directly accessed by the project where project traffic is equal to or exceeds 2% of the adopted LOS standard service volume;*
- b. For links adjacent to links directly accessed by the project where project traffic is equal to or exceeds 2% of the adopted LOS standard service volume; and*
- c. For all other links the project traffic is considered to be significant up to the point where it is equal to or exceeds 3% of the adopted LOS standard service volume.*

Mitigating stipulations shall be based upon a mitigation plan prepared by the applicant and submitted as part of the traffic impact statement that addresses the project’s significant impacts on all roadways.”

According to the TIS dated March 23, 2021 provided with this request the proposed South Florida Gas facility will generate a de minimis number of trips on the adjacent roadways (+/- 1 PM peak hour trip). As shown in Table 6 of the TIS the number of trips generated by this facility has a 0.00% volume impact on the adjacent roadway, therefore it is considered de minimis. Staff notes that roadway Link 95.3 Tamiami Trail East (US 41) from Greenway Road to San Marco Drive currently has a LOS of “D” with an expected deficiency due to trip bank in 2021 as well as a traffic count expected deficiency in 2025 due to background growth. Both deficiencies are due to background plus projected growth rates not related to this facilities de minimis impact.

Florida Statute 163.3180 requires that any roadway facility determined to be deficient with existing, committed, and vested trips plus projected background traffic is the funding responsibility of the maintaining entity, specifically all necessary improvements. Staff also notes that this development will pay the required Collier County road impact fees as building permit(s) are issued for the facility.

Therefore, the subject Conditional Use is found consistent with Policy 5.1 of the Transportation Element of the Growth Management Plan. The proposed gas facility will generate a de minimis number of trips based on the TIS provided with the petition request.

Transportation Review: Transportation Planning staff has reviewed the petition request and is recommending approval.

Conservation and Coastal Management Element (CCME): Environmental Planning Section staff reviewed the petition. The subject property does not have a preserve requirement. The proposal is consistent with the CCME.

Environmental Review: Environmental Planning staff has reviewed this petition. The subject property does not have a preserve requirement as the subject property was cleared for agricultural use prior to 1975 clearing regulations. This project does not require Environmental Advisory Council (EAC) review, as this project did not meet the EAC scope of land development project reviews as identified in Section 2-1193 of the Collier County Codes of Laws and Ordinances.

Landscape Review: The landscape buffers identified on the Concept Plan are consistent with LDC requirements.

STAFF ANALYSIS:

Conditional Use approval must be based on evaluation and findings outlined in LDC Section 10.08.00.D that: 1) granting of the Conditional Use will not adversely affect the public and any specific requirements pertaining to the conditional use have been met by the petitioner. Further, that satisfactory provision and arrangement has been made for the following matters, where applicable:

1. Section 2.03.04 A.1.c of the LDC permits conditional uses in the Industrial (I) Zoning District.

The requested use for a LP gas storage and bulk distribution facility, SIC Codes 5171 and 5172, is allowed as a conditional use in the Industrial (I) Zoning District subject to the standards and procedures established in LDC section 10.08.00 - Conditional Use Procedures.

2. Consistency with the Land Development Code (LDC) and the Growth Management Plan (GMP).

This request is consistent with the GMP and, with the conditions proposed by staff, this project will be in compliance with the applicable provisions of the LDC.

3. Ingress and egress to the property and proposed structures thereon, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.

Ingress and egress to the subject property is by way of two full access connections to Basik Drive at its northern extent, Basik Drive connects to westbound Tamiami Trail East (US 41) at an existing full access opening. The TIS submitted by the applicant indicates that the adjacent roadway network has sufficient capacity to accommodate this project. This project will not adversely impact the surrounding roadway network.

4. The affect the Conditional Use would have on neighboring properties in relation to noise, glare, economic or odor effects.

The LP gas storage and distribution facility use is in an area that is isolated from properties that may present compatibility concerns. The subject property is along a road and within an area that is comprised of all industrial uses, an asphalt and concrete batch plant and an automobile salvage yard, outdoor recreational vehicle storage and other similar uses. The use itself does not produce glare, odor, or noise. Traffic coming in and out of the site is minimal and there is nearly no activity on the site as it is unmanned. Security lighting is to be minimal with no off-site spillage.

5. Compatibility with adjacent properties and other property in the district.

The proposed use is extremely passive in nature. There will be nearly no on-site activity and very few vehicles entering and exiting the property. Based on the location.

Based on the above findings, this conditional use should, with stipulations as outlined in this staff report be recommended for approval.

ENVIRONMENTAL ADVISORY COUNCIL (EAC) RECOMMENDATION:

The EAC did not review this petition because the site is under the size threshold (10 acres) to require an Environmental Impact Statement.

NEIGHBORHOOD INFORMATION MEETING (NIM):

Daniel Delisi, AICP, on behalf of the petitioner, conducted a duly advertised Neighborhood Information Meeting (NIM) on Thursday, May 27, 2021, at 5:30 PM. The NIM was held in the Community Center Large Meeting Room of the Donna Fiala Eagle Lakes Community Park, 11565 Tamiami Trail Easy, Naples, FL 34113. Said meeting was simultaneously run online via Zoom to allow for remote participation.

The meeting commenced at 5:30 PM with a presentation designed to explain of requested Conditional Use and operational characteristics of the proposed facility. Following the presentation, the floor was opened to questions; See Attachment B for transcript. Mr. Delisi was assisted by a representative of South Florida Gas who spoke to the operation of the facility. During

the question-and-answer period it was made known that they the facility would be using either one or two 18,000- or 30,000-gallon LP storage tanks that satisfy national standards with a maximum on-site capacity of 48,000 gallons of LP gas stored on site. It was also expressed that facilities of this type must satisfy Department of Homeland Security requirements and are monitored 24-hours a day by means of video monitoring. It was stated that trucks would be using the facility between 8 AM and 5 PM, but more likely between 10 AM and 2 PM. Additionally, there has been extensive discussion with the Greater Naples Fire. The Fire District has provided guidance and will be involved to a greater extent at the time of Site Development Planning. When asked about protection for Fiddler's Creek the speakers advised that the development was over a mile away and that nothing would travel that far. Additional information pertaining to Florida code was provided and it was expressed that this is to be a state-of-the-art facility. A member of the audience admonished the speakers for calling this a gas storage facility as gas conjures up something much different and more threatening than propane; call it propane. Attendees were encouraged to contact the applicant in the event they'd like to tour the existing facility in Fort Myers. Collier County staff was in attendance for the duration of this meeting.

RECOMMENDATION:

Staff recommends that the Collier County Hearing Examiner approve CU-PL20200001823 to allow a liquid propane gas (LP) storage and bulk distribution facility, SIC Codes 5171 and 5172, at the subject location subject to the following conditions:

1. No retail sales.
2. Hours of Operation are Monday through Saturday, 8:00 AM to 5:00 PM.
3. Security of the facility shall be in accord with applicable Florida Department of Agriculture and Consumer Services and U.S. Department of Homeland Security regulations.
4. A Site Development Plan is required for development of the site; the applicable Fire District must provide approval for said SDP with respect to compliance with public safety standards.
5. All lighting is to be shielded to the extent there is no off-site spillage of said lighting.

Attachments:

- A. Concept Site Plan
- B. Applicant's Back-up
- C. Big Cypress Market Place Phase 3 SDP
- D. HEX Hybrid Meeting Waiver

DEVELOPMENT REGULATIONS

SETBACK	REQUIRED	CONCEPTUAL PROVIDED
FRONT	25'	25'
SIDE	20'*	20'
REAR	15'	15'

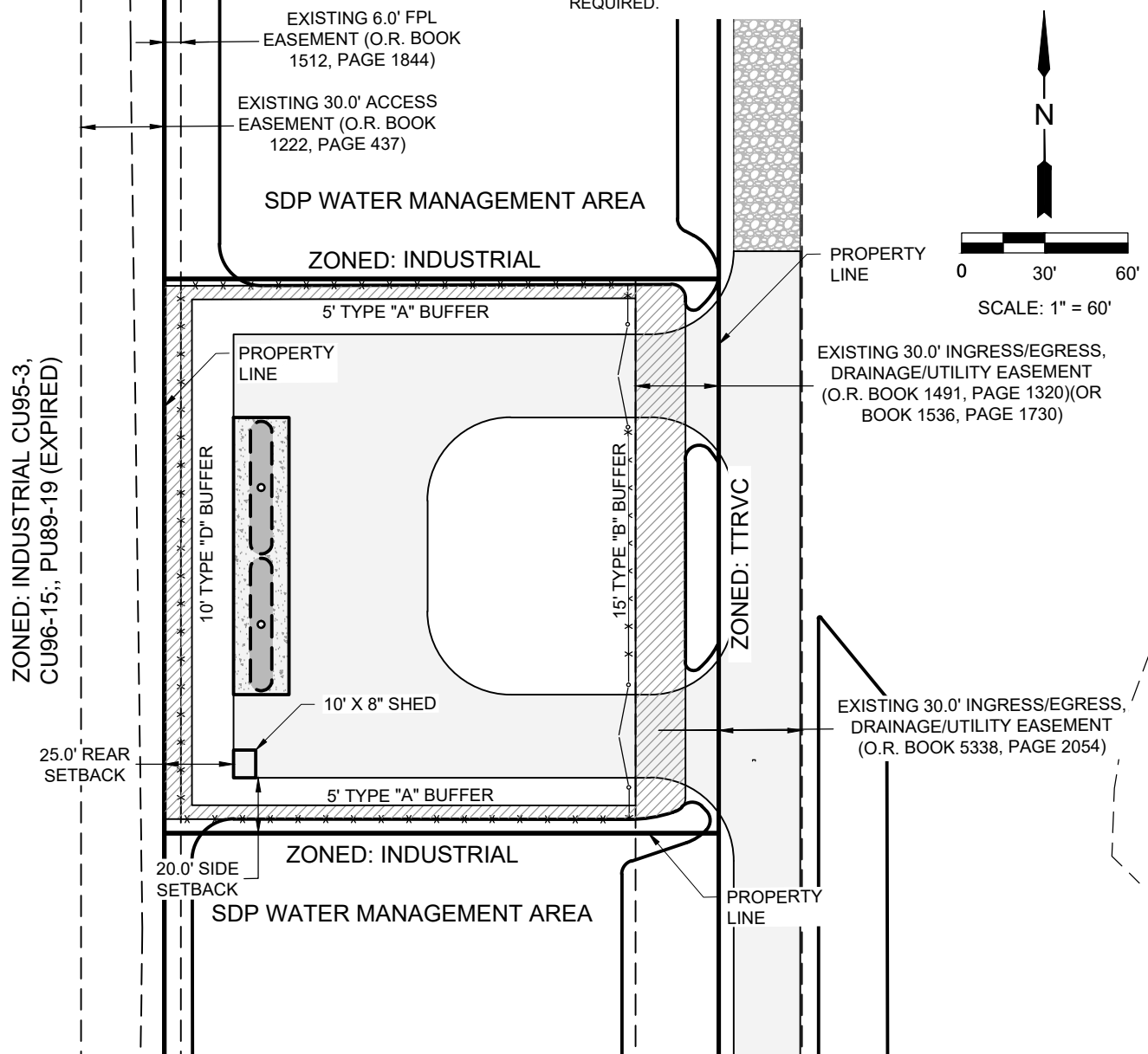
* TOTAL OF ALL SIDE YARDS SHALL EQUAL 20% OF THE LOT WIDTH WITH A MAXIMUM OF 50' AND A MINIMUM OF 10'.

PROJECT SUMMARY

LAND USE			
IMPERVIOUS			
BUILDINGS	80 SF	0.002 AC	0.2 %
PAVEMENT	16,179 SF	0.371 AC	40.4%
CONCRETE	2,000 SF	0.046 AC	5.0%
TOTAL IMPERVIOUS AREA	18,259 SF	0.419 AC	45.6%
PERVIOUS			
OPEN SPACE	19,165 SF	0.440 AC	47.9%
RETENTION AREA	2,576 SF	0.059 AC	6.4%
TOTAL PERVIOUS AREA	21,741 SF	0.499 AC	54.4%
TOTAL SITE AREA	40,000 SF	0.918 AC	100 %

NOTES

1. NO NATIVE VEGETATION ONSITE AND THEREFORE NO PRESERVE IS REQUIRED.



J.R. EVANS
ENGINEERING

J.R. EVANS ENGINEERING, P.A.
9351 CORKSCREW ROAD, SUITE 102
ESTERO, FLORIDA 33928
PHONE: (239) 405-9148
FAX: (239) 288-2537
WWW.JREVANSENGINEERING.COM

SOUTH FLORIDA GAS

FILE DATE: 03/30/2

Packet Pg. 143



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**APPLICATION FOR PUBLIC HEARING FOR:
CONDITIONAL USE**

LDC Section 10.08.00 & Code of Laws section 2-83 – 2-90
Chapter 3 C.1 of the Administrative Code

PETITION NO (PL)
PROJECT NAME
DATE PROCESSED

To be completed by staff

- ☐ A CONDITIONAL USE TO BE HEARD BY THE PLANNING COMMISSION AND BOARD OF ZONING APPEALS
- ☐ A MINOR CONDITIONAL USE TO BE HEARD BY THE OFFICE OF THE HEARING EXAMINER

APPLICANT CONTACT INFORMATION

Name of Property Owner(s): NBC Land Holdings II, LLC

Name of Applicant if different than owner: C&S Land Holdings II, LLC

Address: 7970 Supply Drive City: Fort Myers State: FL ZIP: 33912

Telephone: 239-334-3131 Cell: Fax:

E-Mail Address: terry@southfloridagas.com

Name of Agent(s): Daniel DeLisi, AICP

Firm: DeLisi, Inc.

Address: 520 27th Street City: West Palm Beach State: FL ZIP: 33407

Telephone: 239-913-7159 Cell: Fax:

E-Mail Address: dan@delisi-inc.com

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

Attachment: attachment B - hearing package 072721 (17592 : PL20200001823 CU South Florida Gas)



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ASSOCIATIONS

Required: List all registered Home Owner 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: N/A
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: _____

Name of Homeowner Association: _____
Mailing Address: _____ City: _____ State: _____ ZIP: _____

PROPERTY INFORMATION

On separate page, provide a detailed legal description of the property covered by the application:

- If the request involves changes to more than one zoning district, the applicant shall include separate legal description for property involved in each district;
- The applicant shall submit 4 copies of a recent survey (completed within the last six months, maximum 1" to 400' scale), if required to do so at the pre-application meeting; and
- The applicant is responsible for supplying the correct legal description. If questions arise concerning the legal description, an engineer's certification or sealed survey may be required.

Property I.D. Number: 00763880208 Plat Book: _____ Page #: _____

Section/Township/Range: 18 / 51 / 27

Subdivision: _____ Lot: _____ Block: _____

Metes & Bounds Description: See attached property card

Size of Property: 200 ft. X 200 ft. = 40,000 Total Sq. Ft. Acres: _____

Address/ General Location of Subject Property:
North of Tamiami Trail East approximately 1 mile east of Sandpiper Drive,
at the northern end of Basik Drive



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ADJACENT ZONING AND LAND USE

	Zoning	Land Use
N	Industrial	Rural Industrial
S	Industrial	Rural Industrial
E	TTRVC	Rural Fringe Receiving
W	Industrial	Rural Industrial

If the owner of the subject property owns contiguous property please provide a detailed legal description of the entire contiguous property: (If space is inadequate, attach on a separate page)

Section/Township/Range: 18 / 51 / 27

Lot: _____ Block: _____ Subdivision: _____

Plat Book: _____ Page #: _____ Property I.D. Number: _____

Metes & Bounds Description: See attached property card

CONDITIONAL USE REQUEST DETAIL

Type of Conditional Use:

This application is requesting a conditional use as allowed, pursuant to LDC section 2.03.00, of the
Industrial zoning district for Wholesale trade-durable goods (type of use).

Present Use of the Property: Vacant

Attachment: attachment B - hearing package 072721 (17592 : PL20200001823 CU South Florida Gas)



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EVALUATION CRITERIA

Pursuant to LDC section 10.08.00 and Chapter 3 C.1 of the Administrative Code, staff's recommendation to the reviewing body shall be based upon a finding that the granting of the conditional use will not adversely affect the public interest and that the specific requirements governing the individual conditional use, if any, have been met. Further, satisfactory provision and arrangement have been made concerning the following matters, where applicable.

On a separate page, provide a narrative statement describing a request for a conditional use and a detailed response to the criteria listed below. Specify how and why the request is consistent with each of the criteria.

- a. Describe how the project is consistent with the Collier County Land Development Code and Growth Management Plan. Include information on how the request is consistent with the applicable section or portions of the Future Land Use Element.
- b. Describe the existing or planned means of ingress and egress to the property and proposed structure thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.
- c. Describe the effect the conditional use will have on neighboring properties in relation to noise, glare, economic impact, and odor.
- d. Describe the site's and the proposed use's compatibility with adjacent properties and other properties in the district.
- e. Please provide any additional information which you may feel is relevant to this request.

Deed Restrictions: The County is legally precluded from enforcing deed restrictions; however, many communities have adopted such restrictions. You may wish to contact the civic or property owners association in the area for which this use is being requested in order to ascertain whether or not the request is affected by existing deed restrictions.

Previous land use petitions on the subject property: To your knowledge, has a public hearing been held on this property within the last year? If so, what was the nature of that hearing?
N/A

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?

☒ No ☐ Yes (If yes please provide copies.)



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RECORDING OF DEVELOPER COMMITMENTS

Within 30 days of adoption of the Ordinance, the owner or developer at their expense shall record in the Public Records of Collier County a Memorandum of Understanding of Developer Commitments or Notice of Developer Commitments that contains the legal description of the property that is the subject of the land use petition and contains each and every commitment of the owner or developer specified in the Ordinance. The Memorandum or Notice shall be in form acceptable to the County and shall comply with the recording requirements of F.S. §695. A recorded copy of the Memorandum or Notice shall be provided to the assigned Principal Planner, Zoning Services Department, within 15 days of recording of said Memorandum or Notice.

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

Attachment: attachment B - hearing package 072721 (17592 : PL20200001823 CU South Florida Gas)



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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)
- ☐ **Conditional Use Application Fee:** \$4,000.00
 - When filed with Rezone Petition: \$1,500.00
 - Additional fee for 5th and subsequent reviews: 20% of original fee
- ☐ **Comprehensive Planning Consistency Review:** \$300.00
- ☐ **Environmental Data Requirements-EIS Packet** (submittal determined at pre-application meeting): \$2,500.00
- ☐ **Listed or Protected Species survey review fee (when an EIS is not required):** \$1,000.00
- ☐ **Transportation Fee, if required:**
 - Methodology Review Fee: \$500.00
 - Minor Study Review Fee: \$750.00
 - Major Study Review Fee: \$1,500.00
- ☐ **Estimated Legal Advertising Fee for the Hearing Examiner or CCPC:** \$1,125.00
- ☐ **Estimated Legal Advertising Fee for the BZA, if required:** \$500.00

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 fees shall be submitted to:

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


Agent/Owner Signature

12-14-2020
Date

CHARLES R. ROBB
Agent/Owner Name (please print)

Attachment: attachment B - hearing package 072721 (17592 : PL20200001823 CU South Florida Gas)



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Public Participation Requirements

LDC Section 10.03.06 B. or C.

Chapter 8 of the [Administrative Code](#)

Notice for Minor Conditional Use Petitions

Neighborhood Information Meeting (NIM) Requirements: Applicant must conduct a NIM at least 15 days prior to the Hearing Examiner's receipt of the staff report and application materials in accordance with the applicable sections of the Administrative Code. The NIM shall be advertised and a mailed written notice shall be given to the property owners in the notification area at least 15 days prior to the NIM meeting.

Mailed Notice: Written notice shall be sent to property owners in the notification area at least 15 days before the advertised Hearing Examiner hearing.

Newspaper Advertisements: The legal advertisement shall be published at least 15 days before the advertised Hearing Examiner hearing in a newspaper of general circulation. The advertisement shall include at a minimum:

- Date, time, and location of the hearing;
- Description of the proposed land uses; and
- 2 in. x 3 in. map of the project location.

Sign: A sign shall be posted at least 15 days before the advertised Hearing Examiner hearing date.

Public Hearing for Minor Conditional Use Petitions

Hearing Examiner: The Hearing Examiner shall hold at least 1 advertised public hearing. See Chapter 9 of the Administrative Code for the Office of the Hearing Examiner procedures.

Notice for Conditional Use Petitions

Neighborhood Information Meeting (NIM) Requirements: Applicant must conduct a NIM at least 15 days prior to the advertised public hearing. The NIM shall be advertised and a mailed written notice shall be given to the property owners in the notification area at least 15 days prior to the NIM meeting.



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Mailed Notice: Written notice shall be sent to property owners in the notification area at least 15 days before the advertised public hearing.

Newspaper Advertisements: The legal advertisement shall be published at least 15 days before the advertised public hearing in a newspaper of general circulation. The advertisement shall include at a minimum:

- Date, time, and location of the hearing;
- Description of the proposed land uses; and
- 2 in. x 3 in. map of the project location.

Sign: A sign shall be posted at least 15 days before the advertised public hearing date.

Public Hearing for Conditional Use Petitions

Environmental Advisory Committee (EAC): The EAC shall hold at least 1 advertised public hearing, if required.

Collier County Planning Commission (CCPC): The CCPC shall hold at least 1 public hearing.

Board of Zoning Appeals (BZA): The BZA shall hold at least 1 advertised public hearing.



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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 _____ |

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

See attached Boundary Survey

+

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

00763880208

+

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

N/A

+

- **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)

N/A

PROPOSED PROJECT NAME (if applicable)

South Florida Gas CU

PROPOSED STREET NAMES (if applicable)

N/A

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

SDP ____ - ____ or AR or PL # PL20200001823



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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: Daniel DeLisi, AICP

Phone: 239-913-7159 Email/Fax: dan@delisi-inc.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 00763880208

Folio Number _____

Folio Number _____

Folio Number _____

Folio Number _____

Folio Number _____

Approved by: Chiles Date: 01/08/2021

Updated by: _____ Date: _____

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

EXHIBIT "A" (CHICAGO TITLE INSURANCE COMPANY)

LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN AND BEING A PART OF THE EAST 1/2 OF THE EAST 1/2 OF THE EAST 1/2 OF SECTION 18, TOWNSHIP 51 SOUTH, RANGE 27 EAST, COLLIER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 18, TOWNSHIP 51 SOUTH, RANGE 27 EAST, COLLIER COUNTY, FLORIDA; THENCE ALONG THE EAST LINE OF SAID SECTION 18, SOUTH 00°32' 17" WEST 1467.35 FEET; THENCE LEAVING THE EAST LINE OF SAID SECTION 18, NORTH 89°29' 39" WEST 456.34 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE CONTINUE NORTH 89°29' 39" WEST 200.00 FEET TO THE WEST LINE OF THE EAST 1/2 OF THE EAST 1/2 OF THE EAST 1/2 OF SAID SECTION 18; THENCE ALONG THE WEST LINE OF THE EAST 1/2 OF THE EAST 1/2 OF THE EAST 1/2 OF SAID SECTION 18, NORTH 00°30' 21" EAST 200.00 FEET; THENCE SOUTH 89°29' 39" EAST 200.00 FEET; THENCE SOUTH 00°30' 21" WEST 200.00 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL.

SUBJECT TO AN EASEMENT FOR ROADWAY AND UTILITIES IN FAVOR OF THE GRANTOR AND GRANTEE OF THAT CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 1536, PAGE 1736, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA, AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, AND ALSO IN FAVOR OF ALL CURRENT AND FUTURE OWNERS OF ADJUTING LANDS AND THE PUBLIC, ON, OVER UNDER AND ACROSS A STRIP OF LAND THIRTY (30) FEET IN WIDTH LYING ALONG THE EASTERLY LINE OF SUBJECT PROPERTY THEREIN LEGALLY DESCRIBED IN EXHIBIT "A" AND SHOWN ON EXHIBIT "B" ATTACHED TO SAID DEED.

ALSO SUBJECT TO THAT CERTAIN EASEMENT EXECUTED IN FAVOR OF FLORIDA POWER & LIGHT COMPANY RECORDED IN OFFICIAL RECORDS BOOK 1512, PAGE 1844, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA, BOTH EASEMENTS EXTEND THE FULL LENGTH OF THE PROPERTY FROM NORTH TO SOUTH.

DESCRIPTION OF 30 FEET INGRESS, EGRESS, UTILITY AND DRAINAGE EASEMENT:

A PARCEL OF LAND LYING IN AND BEING A PART OF THE EAST 1/2 OF THE EAST 1/2 OF THE EAST 1/2 OF SECTION 18, TOWNSHIP 51 SOUTH, RANGE 27 EAST, COLLIER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 18, TOWNSHIP 51 SOUTH, RANGE 27 EAST, COLLIER COUNTY, FLORIDA; THENCE ALONG THE EAST LINE OF SAID SECTION 18, SOUTH 00°32' 17" WEST 1467.35 FEET; THENCE LEAVING THE EAST LINE OF SAID SECTION 18, NORTH 89°29' 39" WEST 456.34 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED 30 FEET INGRESS, EGRESS, UTILITY AND DRAINAGE EASEMENT; THENCE SOUTH 00°30' 21" WEST 295.60 FEET; THENCE SOUTH 16°11'36" EAST 104.40 FEET; THENCE SOUTH 00°30' 21" WEST 1007.17 FEET TO AN INTERSECTION WITH THE NORTHERLY LINE OF A COUNTY ROAD RIGHT OF WAY; SAID POINT BEING ON A CURVE CONCAVE TO THE SOUTHEAST, SAID CURVE HAVING A CENTRAL ANGLE OF 352°20'11". A RADIUS OF 50.00 FEET, A CHORD BEARING OF SOUTH 00°41'44" WEST AND A CHORD LENGTH OF 30.45 FEET; THENCE RUN 30.94 FEET ALONG SAID CURVE TO A POINT; THENCE LEAVING SAID CURVE NORTH 00°30' 21" EAST 1007.19 FEET; THENCE NORTH 16°11'36" WEST 104.40 FEET; THENCE NORTH 00°30' 21" EAST 500.00 FEET; THENCE SOUTH 89°29' 39" EAST 30 FEET; THENCE SOUTH 00°30' 21" WEST 200.00 FEET TO THE POINT OF BEGINNING.

NOTES

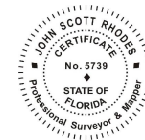
1. BEARINGS BASED ON THE EAST LINE SECTION 18, TOWNSHIP 51 SOUTH, RANGE 27 EAST, COLLIER COUNTY, FLORIDA, AS BEING SOUTH 00°32'17" WEST.
2. ELEVATIONS ARE BASED ON N.G.V.D., 1929 UNLESS NOTED.
3. FIELD MEASUREMENTS ARE IN SUBSTANTIAL AGREEMENT WITH PLAT AND/OR DEED CALLS UNLESS NOTED.
4. SUBJECT TO EASEMENTS, RESERVATIONS AND RESTRICTIONS OF RECORD.
5. THIS SURVEY PERFORMED WITH BENEFIT OF TITLE COMMITMENT BY CHICAGO TITLE INSURANCE COMPANY, HAVING ORDER NUMBER 7526053, WITH AN EFFECTIVE DATE OF MARCH 11, 2019 AT 8:00 A.M.
6. SURVEYORS CERTIFICATION DOES NOT APPLY TO MATTERS OF TITLE ZONING, OR FREEDOM OF ENCUMBRANCES AND IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
7. NO UNDERGROUND UTILITIES, FOUNDATIONS OR OTHER UNDERGROUND INSTALLATIONS WERE LOCATED UNLESS SHOWN.
8. NO OTHER PERSONS OR ENTITIES, OTHER THAN SHOWN, MAY RELY ON THIS SURVEY.
9. ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF, UNLESS OTHERWISE NOTED.
10. SUBJECT PROPERTY CONTAINS 40,000 SQUARE FEET, MORE OR LESS IN AREA.

ABBREVIATIONS

BNP	= BASE OF BEARING	P.O.C.	= POINT OF COMMENCEMENT
C/L	= CENTERLINE	P.O.B.	= POINT OF BEGINNING
DP	= DATE OF PLACEMENT	PSM	= PROFESSIONAL SURVEYOR
SR	= SET 5/8" IRON ROD	SM	= MAPPER
SPL	= FLORIDA POWER AND LIGHT	W/L	= RIGHT OF WAY LINE
NHD	= NATIONAL HIGHWAY	TEL	= TELEPHONE BOX
CHW	= CHURCH	UC	= UTILITY CEMENT
WM	= WATER METER	O.R.	= OFFICIAL RECORDS
EM	= ELECTRIC METER	WMS	= WATER MAIN BOX
WMS	= WATER MAIN STUB	WTS	= WATER TEST STATION
CB	= CATCH BASIN	WV	= WET WELL
EDG	= EDGE OF GRAVEL	X	= GROUND ELEVATION
WTS	= WATER TEST STATION		
WV	= WET WELL		
ROP	= REINFORCED CONCRETE PIPE		

CERTIFICATION:

I CERTIFY THAT THIS SURVEY WAS MADE UNDER MY DIRECTION AND THAT IT MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 54-17.052-053, FLORIDA ADMINISTRATIVE CODE, PURSUANT CHAPTER 472.027, FLORIDA STATUTES.



JOHN SCOTT RHODES, P.S.M. #5739		design:
BOUNDARY SURVEY		drawn: BNC
CERTIFIED TO:		checked: NMR
NBC LAND HOLDINGS, LLC CHICAGO TITLE INSURANCE COMPANY STEVEN A. BRACCO, PA		acad #:
		2019-36
		view:
		Plot
		project:
		2019-36
		sheet #:
		1 of 1
		file #:
		2019-36
		BNDR
RHODES & RHODES LAND SURVEYING, INC. LICENSE #LB 6897		
28100 BONITA GRANDE DRIVE, #107 BONITA SPRINGS, FLORIDA 34135 (239) 405-8166 (239) 405-8163 FAX		

SCHEDULE B SECTION II (CHICAGO TITLE INSURANCE COMPANY)

ITEMS 1-5, 15,16 ARE EITHER STANDARD EXCEPTIONS OR NOT SURVEY RELATED.

6. ROADWAY EASEMENT CREATED BY THAT CERTAIN DEED RECORDED IN OFFICIAL RECORDS BOOK 244, PAGE 683, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

7. INGRESS, EGRESS, UTILITY AND DRAINAGE EASEMENT MORE PARTICULARLY SET FORTH IN THAT CERTAIN INSTRUMENT - RECORDED IN OFFICIAL RECORDS BOOK 1491, PAGE 1320, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

8. EASEMENT GRANTED TO FLORIDA POWER & LIGHT COMPANY BY INSTRUMENT RECORDED MARCH 15, 1995 IN OFFICIAL RECORDS BOOK 1512, PAGE 1844, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

9. EASEMENT FOR ROADWAY AND UTILITIES RESERVED IN THAT CERTAIN WARRANTY DEED RECORDED JUNE 14, 1990, IN OFFICIAL RECORDS BOOK 1536, PAGE 1730, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

10. DRAINAGE AND MAINTENANCE EASEMENT IN FAVOR OF COLLIER COUNTY GRANTED BY INSTRUMENT RECORDED OCTOBER 16, 1990, IN OFFICIAL RECORDS BOOK 1564, PAGE 786, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

11. EASEMENT GRANTED TO FLORIDA POWER & LIGHT COMPANY BY INSTRUMENT RECORDED IN OFFICIAL RECORDS BOOK 3462, PAGE 1013, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

12. TITIAL COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS, ASSESSMENTS AND POSSIBLE LIENS CREATED BY AND SET FORTH IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR MAPLES BIG CYPRESS CONDOMINIUM IN OFFICIAL RECORDS BOOK 3574, PAGE 1150, AMENDED BY INSTRUMENTS RECORDED IN OFFICIAL RECORDS BOOK 4760, PAGE 137, AND IN OFFICIAL RECORDS BOOK 3596, PAGE 236, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA, TOGETHER WITH ANY FURTHER AMENDMENTS THERETO.

13. COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS, ASSESSMENTS AND POSSIBLE LIENS, TERMS AND OTHER PROVISIONS OF DECLARATION OF CONDOMINIUM OF MAPLES BIG CYPRESS LAND CONDOMINIUM, A CONDOMINIUM, AND EXHIBITS ANNEXED THERETO RECORDED IN OFFICIAL RECORDS BOOK 3574, PAGE 1150, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA, TOGETHER WITH ANY AMENDMENTS THERETO.

14. [DELETED.]

15. PROPERTY IS SUBJECT TO COLLIER COUNTY ORDINANCES AND/OR RESOLUTIONS WHICH ESTABLISH MANDATORY GARBAGE AND SOLID WASTE COLLECTION IN COLLIER COUNTY; SAID PROPERTY IS SUBJECT TO ALL ASSESSMENTS MADE UNDER SAID ORDINANCES/RESOLUTIONS.

16. RIGHTS OF TENANTS OCCUPYING ALL OR PART OF THE INSURED LAND UNDER UNRECORDED LEASES OR RENTAL AGREEMENTS.

SCHEDULE B SECTION II SURVEYOR RESPONSES

6. DOES NOT AFFECT SUBJECT PROPERTY.
7. AFFECTS SUBJECT PROPERTY. NOTED AND SHOWN HEREON.
8. AFFECTS SUBJECT PROPERTY. NOTED AND SHOWN HEREON.
9. AFFECTS SUBJECT PROPERTY. NOTED AND SHOWN HEREON.
10. DOES NOT AFFECT SUBJECT PROPERTY.
11. DOES NOT AFFECT SUBJECT PROPERTY.
12. DOES NOT AFFECT SUBJECT PROPERTY.
13. DOES NOT AFFECT SUBJECT PROPERTY.

FLOOD ZONE:
ZONE AE 6.0 NAVO
ZONE AE 7.0 NAVO
ZONE X

PANEL NO.:
12021C 0630 H

MAP REVISION DATE:
MAY 16, 2017

Attachment: attachment B - hearing package 072721 (17592 : PL20200001823 CU South Florida Gas)



Attachment: attachment B - hearing package 072721 (17592 : PL20200001823 CU South Florida Gas)



Mr. John Kelly
 Zoning Services
 Collier County Growth Management Department
 2800 North Horseshoe Drive
 Naples, FL 34104

March 31, 2021

**Re: South Florida Gas
 Conditional Use Application Cover Letter**

Mr. Kelly,

Attached is a Conditional Use application for a liquid propane gas storage and distribution facility. The proposed use is located along the north side of US 41 with access via Basik Drive in Collier County, Florida. The property is within the Rural Industrial area, on the County's Future Land Use Map. The zoning designation on the property corresponds to the future land use category, Industrial, and is located within an existing Site Development Plan, Big Cypress Market Place (See attached Future Land Use and Zoning maps). In accordance with LDC Section 2.03.08(A)2.a., the proposed "Wholesale trade-durable goods" (SIC Codes 5171 and 5172) use, is an allowable use in the Industrial zoning district through a Conditional Use application.

Description of Proposed Use

The applicant is submitting the attached Conditional Use application to be allowed to construct and operate a liquid propane storage and distribution facility on the subject property. The SIC Codes for this use are 5171 and 5172. The use itself is simply two cylindrical storage tanks with a shed that houses the electrical shut off and safety equipment. The Concept Plan shows that there will be a turnaround area for truck delivery and pick-up operations.

The subject property is needed to more efficiently service customers in southern Collier County. South Florida Gas currently has two locations in Lee County, one directly on Alico Road and the other on Evans Avenue in the City of Fort Myers. The proposed use will not include and on-site retail sales or an office.

Although the TIS uses standard trip generation rates for the use classifications, the actual anticipated operation of the site is even less intense than what the TIS shows. It is anticipated that there will be one large truck delivery to fill the tank(s) once per week in season and only once per month off season. There will be one smaller truck pick up once every other day in season and once per week off season. Even in peak season, the maximum number of trips in any given day will not likely be greater than 1-2. There are no on-site workers or an office use, only unloading of gas into the tanks and loading of gas from the

tanks into smaller delivery trucks. The use of the site for delivery and pick up gas will occur Monday through Saturday. There are no ancillary uses of the site such as storage of vehicles. The request does not include any retail component or any use that would necessitate people entering the site. The very minimal truck traffic entering and existing the site will only occur during daylight hours 7am to 7pm. There are no operations that will create off site odor (such as tank repair or anything that would require any significant discharge of gas. Since this is a daytime operation, there is minimal lighting and only for nighttime security purposes. There will be no off-site spillage of light. The operation itself is a very passive use, not generating any significant traffic, with very minimal noise, no odor and no offsite glare from lights.

The Concept Plan has been designed with consultation from the Fire District on location and orientation of the storage tanks, access and safety measure in case of a fire. The surrounding uses are all industrial with much more significant external impacts.

Surrounding Uses

The subject property is located in an area with a mix of Industrial, agriculture and low-density residential development in the immediate surrounding area. The property itself is in an area of industrial development and the subject parcel is in an Industrial future land use and zoning district. To the south and north of the subject property are additional parcels that are also part of the Big Cypress Market Place Site Development Plan which is an industrial development. To the west of the subject property is also industrial zoning and industrial developed property. To the east is property zoned Travel Trailer Recreational Vehicle Campground and used for storage of recreational vehicles.

All of the properties immediately surrounding the subject property are developed with uses that are industrial in nature. The properties to the south and east are both developed with outdoor storage uses, mostly containing large vehicles such as recreational vehicles and boats. To the west of the subject property are uses including an auto salvage yard and two asphalt/concrete block plants.

In accordance with LDC Section 10.08.00 and the Standards of Approval for a Conditional Use in the application, below is an analysis of how the subject property meets the criteria in the land development code.

a. Consistency with the LDC and Growth Management Plan.

The subject property is located in the Rural Industrial land use category on the future land use map in the Collier County Growth Management Plan.

In accordance with Policy II(C), the Future Land Use Description in the Growth Management Plan, *"The Rural Industrial District, which encompasses approximately 900 acres of existing industrial areas outside of Urban designated areas, is intended, and shall be reserved, for industrial type uses."* The proposed

use is consistent with this policy as it is a use allowed in the Industrial Zoning district.

The subject property is in the Industrial Zoning District in the Collier County Land Development Code. The proposed use is a warehouse and distribution type use with the specific SIC codes allowed through the conditional use process.

In accordance with CCME Policy 6.1.1, the subject property, being in the Rural Industrial area, is required to preserve 50% of the on-site native vegetation, not to exceed 25% of the site. The overall SDP was permitted in 2005, well prior to adoption of this policy. The specific parcel in this SDP was cleared in accordance with the SDP in 2019 (see above responses). Being part of a larger SDP, the Big Cypress SDP, to the extent that this policy applies, it would be applied for the entire project, not this specific parcel. Therefore, the proposed Conditional Use plan complies with CCME Policy 6.1.1 as the application is only for a use on an already approved SDP on a lot already cleared as part of the SDP with no native trees.

Objective 7.1. directs incompatible uses away from listed animal species and their habitats. The subject property is surrounded by industrial and intense commercial uses as described in d) below. The proposed use itself is even much more passive than other allowable uses in this zoning category. The proposed use is simply a storage tank with very passive use in terms of the amount of on-site activity. While the site currently does not contain any habitat for listed species, to the extent that a listed animal may enter this industrial area, the proposed use would not prevent wildlife from traversing the site or create any activity that would deter wildlife from the site.

b. Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.

The subject property has access to US 41 through the industrial access road, Basik Drive, leading to US 41. Use of an extension of Basik Drive will promote a safe environment for the truck traffic, avoiding the intermingling with non-industrial uses or pedestrian activity. At the access to US 41 are striped turn lanes allowing for safe ingress and egress and ease of flow of traffic.

c. The effect the conditional use would have on neighboring properties in relation to noise, glare, economic or odor effects.

The gas storage use is located in an area that is isolated from properties that may present compatibility concerns. The subject property is along a road and within an area that comprises of all industrial uses, an asphalt and concrete batch plant and an automobile salvage yard, RV storage and other similar uses. The use itself does not let off glare, odor or noise. Traffic coming in and out of the site is very minimal and movement on the site itself is almost non-existent.

The closest residential unit is over 650 feet to the east, across the adjacent property, and over 750 feet from any structure on site. Based on the location, the surrounding uses and the site plan lay out, there will be no negative economic effects to surrounding properties.

d. Compatibility with adjacent properties and other property in the district.

As described above, based on the location, adjacent uses and design of the site, there are no compatibility issues with adjacent properties. Industrial uses already exist to the south and west of the property. To the north is a vacant property and to the east is a property used for RV storage. Through the location of the structures, which are on the west side of the property, and site activity on the site plan and the surrounding uses on adjacent and nearby parcels, the proposed gas storage will not have negative compatibility impacts on adjacent properties.

e. Please provide any additional information which you may feel is relevant to this request.

The proposed use is incredibly passive in nature. There will be almost no on-site activity and very few total trips coming on to the property. With an anticipated maximum of one trip on and off the property ever day in peak season total use of the property is extremely minimal. There are no adverse off-site impacts and design of the site has been done in conjunction with the Fire Department to ensure that the public safety is maintained. The use itself is highly regulated to ensure public safety and the use is located in an industrial area. There should be no compatibility concerns with the proposed use on the subject property.

In conclusion, the proposed Conditional Use for the gas storage and distribution tanks meet the criteria for approval of Conditional Uses, is in compliance with and meets the intent of the Collier County Growth Management Plan and therefore should be granted.

Should you have any questions or require any additional information, do not hesitate to contact me.

Best regards.



Daniel DeLisi, AICP
DeLisi, Inc.

PICTURES OF GAS STORAGE TANKS:



Property Appraiser's Parcel I.D.
(folio) Number: 00763880208

Consideration: \$90,000.00

WARRANTY DEED

THIS WARRANTY DEED dated this 29 day of April, 2019, by PATRICK F. COLLINS and LINDA E. COLLINS, husband and wife, whose post office address is 840 Wintergreen Court, Marco Island, Florida 34145 (the "Grantor"), to NBC LAND HOLDINGS, LLC, a Florida limited liability company, whose post office address is 7593 Cordoba Circle, Naples, Florida, 34109 (the "Grantee").

(Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH: That the Grantor, for and in consideration of the sum of TEN AND 0/100 (\$10.00) and other valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys, and confirms unto the Grantee, all that certain land situated in County of Collier, State of Florida, to wit:

* SEE ATTACHED EXHIBIT "A"

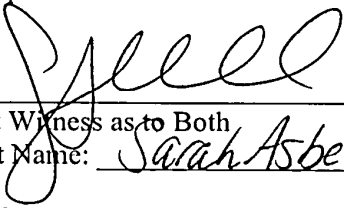
Subject to easements, restrictions, reservations and limitations of record, if any.

TO HAVE AND TO HOLD the same in Fee Simple forever.

AND the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to: December 31, 2018.

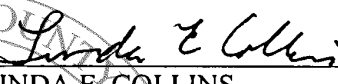
IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered
in the presence of:


First Witness as to Both
Print Name: Sarah Asbell


PATRICK F. COLLINS


Second Witness as to Both
Print Name: Mollie Anne Boyer

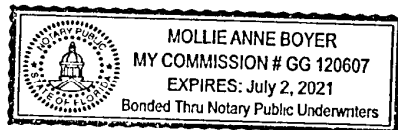

LINDA E. COLLINS

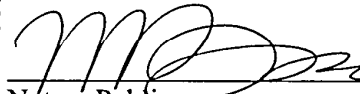
STATE OF FLORIDA

COUNTY OF COLLIER

The foregoing instrument was acknowledged before me this 29 day of April, 2019, by PATRICK F. COLLINS and LINDA E. COLLINS, who ☐ is personally known to me or ☒ has produced their Florida DLs as identification.

(SEAL)




Notary Public

My Commission Expires: July 2, 2021

THIS INSTRUMENT PREPARED BY:
KRAMER HUY P.A.
FREDERICK C. KRAMER
950 North Collier Boulevard, Suite 101
Marco Island, Florida 34145
(239) 394-3900

PREPARATION OF INSTRUMENT ONLY
NO OPINION RENDERED

File No.: 19-R-609

Warranty Deed

Page 2 of 3

* EXHIBIT A

A parcel of land lying in and being a part of the East 1/2 of the East 1/2 of the East 1/2 of Section 18, Township 51 South, Range 27 East, Collier County, Florida, being more particularly described as follows:

Commencing at the Northeast corner of Section 18, Township 51 South, Range 27 East, Collier County, Florida; thence along the East line of said Section 18, South 00°32' 17" West 1467.35 feet thence leaving the East line of said Section 18, North 89°29' 39" West 456.34 feet to the Point of Beginning of the herein described parcel of land; thence continue North 89°29' 39" West 200.00 feet to the West line of the East 1/2 of the East 1/2 of the East 1/2 of said Section 18, thence along the West line of the East 1/2 of the East 1/2 of the East 1/2 of said Section 18, North 00°30' 21" East 200.00 feet; thence South 89°29' 39" East 200.00 feet; thence South 00°30' 21" West 200.00 feet to the Point of Beginning of the herein described parcel.

Subject to an easement for roadway and utilities in favor the Grantor and Grantee of that certain Warranty Deed recorded in Official Records Book 1536, Page 1730, of the Public Records of Collier County, Florida, and their respective successors and assigns, and also in favor of all current and future owners of abutting lands and the public, on, over under and across a strip of land thirty (30) feet in width lying along the Easterly line of subject property therein legally described in Exhibit " A" and shown on Exhibit " B" attached to said deed.

Also subject to that certain easement executed in favor of Florida Power & Light Company recorded in Official Records Book 1512, Page 1844, of the Public Records of Collier County, Florida. Both easements extend the full length of the property from North to South.

Description of 30 feet Ingress, Egress, Utility and Drainage Easement:

A parcel of land lying in and being a part of the East 1/2 of the East 1/2 of the East 1/2 of Section 18, Township 51 South, Range 27 East, Collier County, Florida, being more particularly described as follows:

Commencing at the Northeast corner of Section 18, Township 51 South, Range 27 East, Collier County, Florida; thence along the East line of said Section 18, South 00°32' 17" West 1467.35 feet; thence leaving the East line of said Section 18, North 89°29' 39" West 456.34 feet to the Point of Beginning of the herein described 30 feet Ingress, Egress, Utility and Drainage Easement: Thence South 00°30' 21" West 295.60 feet; thence South 16°11' 36" East 104.40 feet; thence South 00°30' 21" West 1007.17 feet to an intersection with the Northerly line of a County Road Right of Way, said point being on a curve concave to the Southeast, said curve having a central angle of 35°27' 01" , a radius of 50.00 feet, a chord bearing of South 00°41' 44" West and a chord length of 30.45 feet; thence run 30.94 feet along said curve to a point; thence leaving said curve North 00°30' 21" East 1007.95 feet; thence North 16°11' 36" West 104.40 feet; thence North 00°30' 21" East 500.00 feet; thence South 89°29' 39" East 30 feet; thence South 00°30' 21" West 200.00 feet to the Point of Beginning.



Attachment: attachment B - hearing package 072721 (17592 : PL20200001823 CU South Florida Gas)



COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

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

**STATEMENT OF UTILITY PROVISIONS
FOR CONDITIONAL USE REQUEST**

APPLICANT INFORMATION

Name of Applicant(s): South Florida Gas
Address: 7970 Supply Drive City: Fort Myers State: FL ZIP: 33912
Telephone: 239-334-3131 Cell: _____ Fax: _____
E-Mail Address: terry@southfloridagas.com
Address of Subject Property (If available): N/A
City: _____ State: _____ ZIP: _____

LEGAL DESCRIPTION

Section/Township/Range: 18 / 51 / 27
Lot: _____ Block: _____ Subdivision: _____
Plat Book: _____ Page #: _____ Property I.D. Number: 00763880208
Metes & Bounds Description: _____

TYPE OF SEWAGE DISPOSAL TO BE PROVIDED

Check applicable system:

- a. County Utility System ☒
- b. City Utility System ☐
- c. Franchised Utility System ☐
- d. Package Treatment Plant ☐
- e. Septic System ☐

Provide Name: _____
(GPD Capacity): _____

TYPE OF WATER SERVICE TO BE PROVIDED

- a. County Utility System ☒
- b. City Utility System ☐
- c. Franchised Utility System ☐
- d. Private System (Well) ☐

PROVIDE NAME _____

Total Population to be served: None. No on site facilities requested.

Peak and Average Daily Demands:

- A. Water-Peak: 0 Average Daily: 0
- B. Sewer-Peak: 0 Average Daily: 0



COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

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

If proposing to be connected to Collier County Regional Water System, please provide the date service is expected to be required: N/A

Narrative statement: Provide a brief and concise narrative statement and schematic drawing of sewage treatment process to be used as well as a specific statement regarding the method of affluent and sludge disposal. If percolation ponds are to be used, then percolation data and soil involved shall be provided from tests prepared and certified by a professional engineer.
This is a storage drop off and pick up location only. Need for water and sewer service is not anticipated.

County Utility Dedication Statement: If the project is located within the service boundaries of Collier County's utility service system, a notarized statement shall be provided agreeing to dedicate the water distribution and sewage collection facilities within the project area to the Collier County Utilities. This shall occur upon completion of the construction of these facilities in accordance with all applicable County ordinances in effect at that time. This statement shall also include an agreement that the applicable system development charges and connection fees will be paid to the County Utilities Division prior to the issuance of building permits by the County. If applicable, the statement shall contain an agreement to dedicate the appropriate utility easements for serving the water and sewer systems.

N/A

Statement of Availability Capacity from other Providers: *Unless waived or otherwise provided for at the pre-application meeting, if the project is to receive sewer or potable water services from any provider other than the County, a statement from that provider indicating adequate capacity to serve the project shall be provided.*

Attachment: attachment B - hearing package 072721 (17592 : PL20200001823 CU South Florida Gas)



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
NBC Land Holdings, LLC	
2338 Immokalee Road, Suite 435	
Naples, FL, 34110	
Keith A. Basik	100

- 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

- 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
C & S Land Holdings II, LLC	
2602 SE 28th Street, Cape Coral, FL 33904	
Charles R. Robb, Manager	50
Stephine Robb, Manager	50

Date of Contract: 7/19/19

- 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:

Created 9/28/2017

Page 2 of 3



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: APRIL 30th 2021

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

Charles R. Robb
Agent/Owner Signature

3/24/2021
Date

Charles R Robb
Agent/Owner Name (please print)

AFFIDAVIT OF AUTHORIZATION

FOR PETITION NUMBERS(S) PL20200001823

I, Keith A. Basik (print name), as Manager (title, if applicable) of NBC Land Holdings, 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 Daniel DeLisi, AICP to act as our/my representative in any matters regarding this petition including 1 through 2 above.

*Notes:

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

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

[Signature]
Signature

3/31/21
Date

STATE OF FLORIDA
COUNTY OF COLLIER

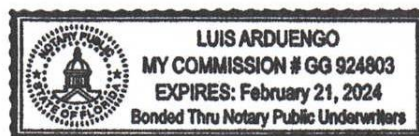
The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 31 day of March, 2021, by (printed name of owner or qualifier) _____.

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

- ☐ Are personally known to me
- ☒ Has produced a current driver's license FLDL
- ☒ Has produced FLDL as identification.

Notary Seal

Notary Signature: [Signature]



CP\08-COA-00115\155
REV 3/4/2020

AFFIDAVIT OF AUTHORIZATION

FOR PETITION NUMBERS(S) PL20200001823

I, Charles R. Robb (print name), as Manager (title, if applicable) of C & S Land Holdings II, 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 Daniel DeLisi, AICP to act as our/my representative in any matters regarding this petition including 1 through 2 above.

*Notes:

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

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

Charles R. Robb
Signature

3/24/2021
Date

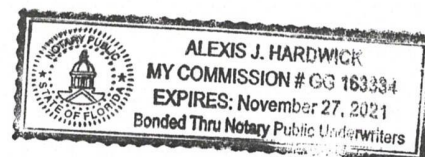
STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 24 day of March, 2021, by (printed name of owner or qualifier) Charles Robb.

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: Alexis J. Hardwick



DEVELOPMENT REGULATIONS

SETBACK	REQUIRED	CONCEPTUAL PROVIDED
FRONT	25'	25'
SIDE	20*	20'
REAR	15'	15'

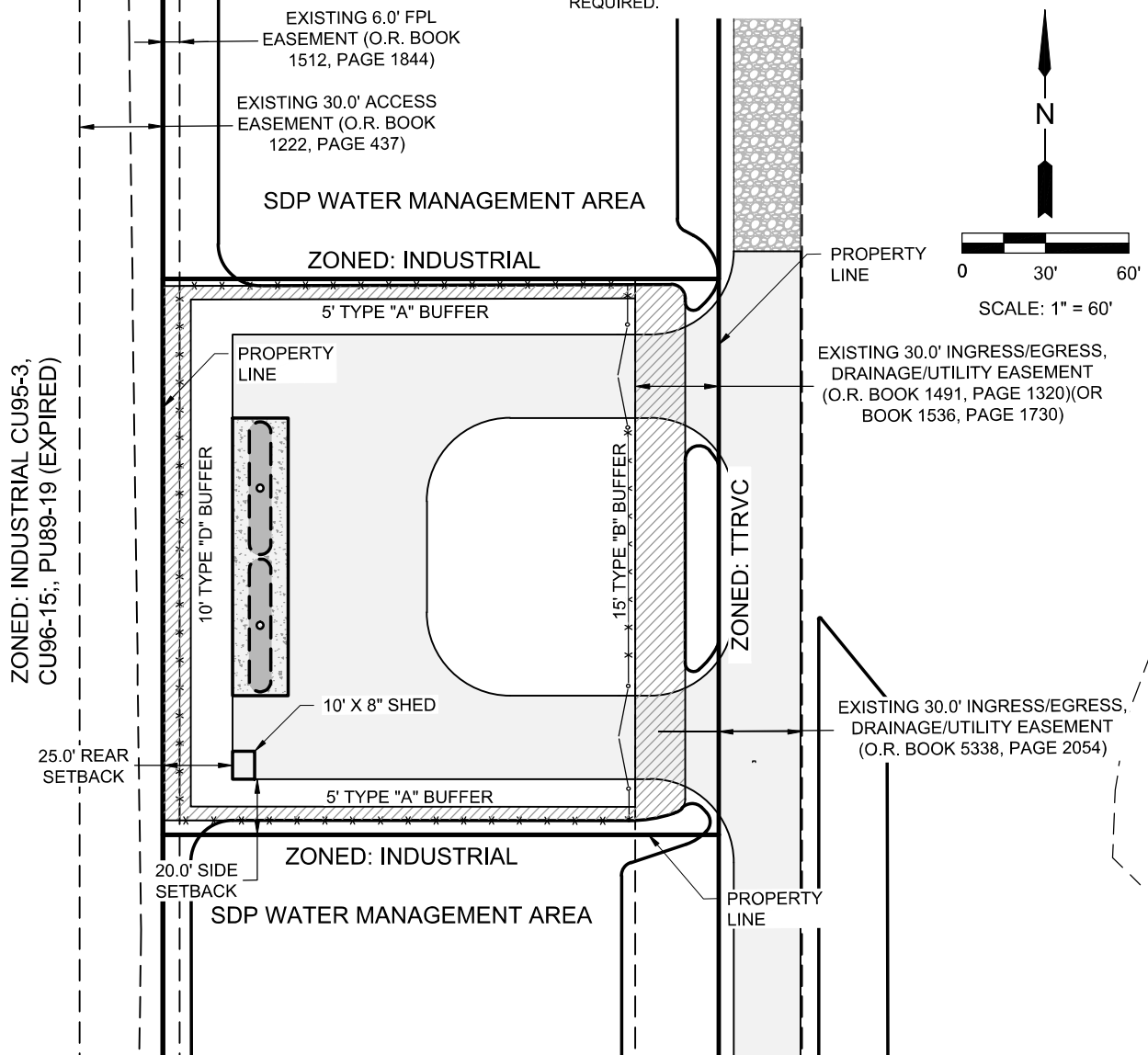
* TOTAL OF ALL SIDE YARDS SHALL EQUAL 20% OF THE LOT WIDTH WITH A MAXIMUM OF 50' AND A MINIMUM OF 10'.

PROJECT SUMMARY

LAND USE			
IMPERVIOUS			
BUILDINGS	80 SF	0.002 AC	0.2 %
PAVEMENT	16,179 SF	0.371 AC	40.4%
CONCRETE	2,000 SF	0.046 AC	5.0%
TOTAL IMPERVIOUS AREA	18,259 SF	0.419 AC	45.6%
PERVIOUS			
OPEN SPACE	19,165 SF	0.440 AC	47.9%
RETENTION AREA	2,576 SF	0.059 AC	6.4%
TOTAL PERVIOUS AREA	21,741 SF	0.499 AC	54.4%
TOTAL SITE AREA	40,000 SF	0.918 AC	100 %

NOTES

1. NO NATIVE VEGETATION ONSITE AND THEREFORE NO PRESERVE IS REQUIRED.



J.R. EVANS
ENGINEERING

J.R. EVANS ENGINEERING, P.A.
9351 CORKSCREW ROAD, SUITE 102
ESTERO, FLORIDA 33928
PHONE: (239) 405-9148
FAX: (239) 288-2537
WWW.JREVANSENGINEERING.COM

SOUTH FLORIDA GAS

FILE DATE: 03/30/2021 SHEET:

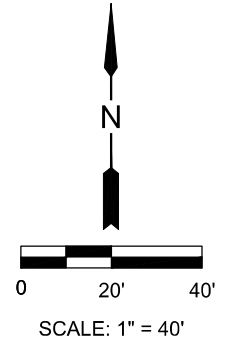
Page 29 of 76

Packet Pg. 172

FLUCCS	DESCRIPTION	ACREAGE
744	FILL AREAS	0.92 AC

NOTE

1. MAPPING BASED ON PHOTOINTERPRETATION OF 2020 AERIAL PHOTOGRAPHY AND GROUND TRUTHING IN OCTOBER 2020.



J.R. EVANS ENGINEERING, P.A.
 9351 CORKSCREW ROAD, SUITE 102
 ESTERO, FLORIDA 33928
 PHONE: (239) 405-9148
 FAX: (239) 288-2537
 WWW.JREVANSENGINEERING.COM

SOUTH FLORIDA GAS

FLUCCS MAP

FILE DATE: 12/20 SHEET: 1

SUMMARY OF NEIGHBORHOOD INFORMATIONAL MEETING

South Florida Gas (CU), PL20200001823

May 27, 2021 at 5:30 p.m. at
Eagle Lakes Community Center

The meeting started at 5:30 pm with a presentation of the Conditional Use application by Daniel DeLisi.

- DeLisi described the property location and zoning
- The property access
- The Use Proposed
- The surrounding uses

The following questions were asked:

Question: Is this is propane or gasoline

Answer: Propane

Question: Is this flammable?

Answer: Yes.

Question: What would happen with a lightning strike?

Answer: Nothing. The propane tanks are grounded. If there were a strike, the lightning would simply go to the surface.

Question: How big is the tank being proposed?

Answer: The tank has not been decided on yet. We are looking at an 18,000- or 30,000-gallon tank. Probably 1 18,000 tank to start, but the site plan shows the use of 2 tanks.

Question: In season how many trucks?

Answer: This facility is designed to serve mainly downtown Naples and Marco Island. Max 1 truck per day. At this point we are looking at 2-3 trucks per week, max. Off season it will be much more infrequent. We will have one 18-wheeler truck per week to fill up the tank, then 2-3 smaller 3,000 gallon trucks to fill up and deliver propane to customers.

Question: Why didn't you look for a lot on Marco Island?

Answer: Because it is not convenient to the Downtown area. We also looked at industrial areas in Naples, but there just isn't enough industrial land available. We need a minimum of 1 acre for this use. The site is a little farther out than we would like, but it was all we could find.

Question: Who will be using the facility?

Answer: Only our delivery trucks.

Question: Who are the Customers?

Answer: Residential homes and commercial businesses. Propane is used for emergency generators, there are a lot of people on breathing apparatuses that would not be able to survive without power – these are many of our customers. Elder care facilities and fire departments are customers. Most fire stations run on propane. The propane tanks here are buried so they are not seen. There are hundreds of facilities in Florida.

Safety: Tanks are designed for safety. There are safety features that would shut off the tank if the valves were to be knocked off or damaged. If a truck driver pulled off a hose, the system would shut down. There are numerous checks and balances in the industry. There are two inspections every year from the State and additional inspections from the fire department. Homeland Security also regulates the industry for safety.

Question: Do you also have cyber security?

Answer: We deal with that for our customers and protection of credit card information.

Question: Are you served by pipes?

Answer: No. Propane is not piped.

Question: Is the Conditional Use requesting 2 tanks?

Answer: The request is for 2 tanks.

Question: As far as similar sites that you mentioned, what are they adjacent to? And how far?

Answer: Residential, about 750 feet.

Question: How long have those other facilities been around?

Answer: We are not sure about when other facilities were built.

Question: Can you send us the PowerPoint?

Answer: Yes.

Question: How did you make a determination that the use is complimentary to surrounding uses.

Answer: The standard is “compatible, not “complimentary”. As far as industrial uses go the proposed use has no noise, no dust, no activity. This is one of the most passive industrial uses possible. The property is already zoned industrial so this is among the most compatible with surrounding uses.

Question: Are you willing to condition 4 trucks per week?

Answer: No.

Question: What discussions have been held with the Naples municipality and the fire department?

Answer: We have had extensive talks with the Greater Naples Fire Department. They gave us specific instructions on what they want to see done. We have implemented all of their needs and they have signed off on it.

Question: What protections in place for Fiddler’s Creek.

Answer: Nothing would travel that far. Fiddler’s Creek is over 1 mile away. No explosion that would go that far. According to FL code, we can be within 100 feet of a major gas facility, 50 feet of the property line of an “important building” (gathering place of more than 50 people, child care facility, church, etc.) This is the national fire protection code.

Question: Are the buffers code minimum? Will you commit to anything greater?

Answer: The buffers are code Minimum. We will not commit to anything different at this time. We are open to follow up and discussion and listening to suggestions.

Comment: Don’t talk about this being gas. This is propane. Very Different. Gas conjures up something different that is much more threatening. If you don’t want people to worry, call it propane.

Question: If this is approved would retail sales be allowed?

Answer: No. We have not asked for that as part of the application. Not part of the request. The facility is gated and no way for the public to get on to the site.

Question: Am I overstating that there is virtually no way that there can be an explosion?

Answer: We can't say never. Extremely rare. Explosions have happened with very different types of facilities. No cases where lightning has started a fire. Do not know of any cases of an explosion with this type of facility.

Question: Who manufactures your tanks? Do they have different safety records?

Answer: Don't know who the manufacturer will be. All tanks need to meet national standards and all have similar safety records.

Question: There is residential in the area.

Answer: Correct. There is residential to the east.

Question: What hours will trucks be going in and out of this facility?

Answer: All trucks will be using the site between 8am to 5pm, but more likely 10am to 2pm.

Question: Maximum gallons stored on site?

Answer: 48,000 gallons.

Question: Are other facilities unmanned? Who is monitoring the facility?

Answer: We have cameras on everything. We will be monitoring the site constantly. Site is locked and meets Homeland Security requirements.

Question: Do you have any affiliation with Sam's Gas?

Answer: No.

Question: Has this already been approved?

Answer: No. We still have time for further discussions and to tour a facility.

South Florida Gas Sign In sheet

<u>Name</u>	<u>Email</u>
RAY BELLOWS, Collier County Zoning	Ray.bellows@colliercountyfl.gov
JOHN KELLY Collier Co. Zoning	JOHN.KELLY@COLLIERCOUNTYFL.GOV
John Orman	ormanj@bellsouth.net
George Dany	georgedany@outlook.com
Sara Snyder	sallysnyder@yahoo.com
ELLIOT MILLER	elliottmiller@yahoo.com
JOE VACCARO	JKVaccaro@hotmail.com
Tony Pro	AP, ksa@upl-legal.com

2

Timestamp
4/29/2021 14:11:26 (CDT)

Final Publication Date
4/30/2021 0:00:00 (CDT)

Ad Number
GCI0641014

Publication
Naples Daily News

Special Requests
include fear sheet

Market
Naples

Delivery Method
Both

Number of Affidavits Needed
1

Customer Email
dan@delisi-inc.com

Customer Name
Delisi, Inc

Name
Daniel Delisi

Street
520 27Th ST

City
West Palm Beach

State
FL

ZIP Code
33407-5420

Your Name
Jennifer Peterson

Email Address
jpeterson@localiq.com

Attachment: attachment B - hearing package 072721 (17592 : PL20200001823 CU South Florida Gas)

Naples Daily News

PART OF THE USA TODAY NETWORK

Published Daily
Naples, FL 34110

DELISI INC
520 27TH ST
WEST PALM BEACH, FL 33407
ATTN DANIEL DELISI

Affidavit of Publication

STATE OF WISCONSIN

COUNTY OF BROWN

Before the undersigned they serve as the authority, personally appeared who on oath says that they serve as **legal clerk** of the Naples Daily News, a daily newspaper published at Naples, in Collier County, Florida; distributed in Collier and Lee counties of Florida; that the attached copy of the advertising was published in said newspaper on dates listed. Affiant further says that the said Naples Daily News is a newspaper published at Naples, in said Collier County, Florida, and that the said newspaper has heretofore been continuously published in said Collier County, Florida; distributed in Collier and Lee counties of Florida, each day and has been entered as second class mail matter at the post office in Naples, in said Collier County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement and affiant further says that he has neither paid nor promised any person, or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

4/30/2021

Subscribed and sworn to before on April 30th, 2021:

Tara Mondloch

Notary, State of WI, County of Brown

M TARA MONDLOCH
Notary Public
State of Wisconsin

My commission expires: August 6, 2021

PUBLICATION COST: \$1,040.26
AD NO: GCI0641014
CUSTOMER NO: DELISI INC
PO#: PUBLIC NOTICE

Attachment: attachment B - hearing package 072721 (17592 : PL20200001823 CU South Florida Gas)

NEIGHBORHOOD INFORMATION MEETING

The public is invited to attend a neighborhood meeting held by Daniel DeLisi, of DeLisi, Inc., (dan@delisi-inc.com, 239-913-7159) representing NBC Land Holdings II, LLC (application #: PL20200001823, South Florida Gas (CU) on:



May 27, 2021 at 5:30 p.m. in the Community Center Large Meeting Room, at the Donna Fiala Eagle Lakes Community Park, 11565 Tamiami Trail East, Naples, FL 34113

The property owner is petitioning Collier County to permit a conditional use on the property to allow for a liquid propane storage and distribution facility.

WE VALUE YOUR INPUT

Business and property owners, residents and visitors are welcome to attend the presentation to discuss the project. If you are unable to attend the meeting in-person and would like the opportunity to participate virtually, an on-line meeting will be available. Details related to joining the meeting can be obtained by contacting the individual listed above. Reservations for in-person meeting attendance is required to ensure that the CDC guidelines for social distancing can be achieved.



Maryland House Speaker Adrienne Jones, third from left, stands with the presidents of Maryland's HBCUs after a bill signing ceremony. BRIAN WITTE/AP FILE

\$577M settlement for HBCU suit finalized

Brian Witte
ASSOCIATED PRESS

ANNAPOLIS, Md. — Maryland has finalized a \$577 million settlement to end a 15-year federal lawsuit relating to underfunding at the state's four historically Black colleges and universities, state officials announced Wednesday.

The Maryland Attorney General's Office signed the agreement with attorneys for the plaintiffs to settle the case. Lawmakers passed legislation earlier this year to set aside the money, and Gov. Larry Hogan signed the bill last month.

"This settlement marks an historic investment in Maryland's Historically Black Colleges and Universities," Attorney General Brian Frosh said. "It will enable these valued institutions to expand their academic reach and to assist thousands of students with getting the education they deserve."

The lawsuit dating to 2006 accused Maryland of underfunding these institutions while developing programs at traditionally white schools that directly competed with them, draining away prospective students. In 2013, a federal

judge found that the state had maintained "a dual and segregated education system" that violated the Constitution.

"With today's historic settlement of the HBCU litigation, we are finally able to move forward to give every college student in Maryland the chance to succeed," said Maryland House Speaker Adrienne Jones, who sponsored the legislation.

The money will be paid over a decade for scholarships and financial aid support services, as well as faculty recruitment and development. Funds also could be used to expand and improve existing academic programs, including online programs, as well as the development and implementation of new academic programs.

The money will be distributed each year based on each school's share of the total enrollment during the preceding academic year at all four of Maryland's HBCUs: Morgan State University, Coppin State University, Bowie State University and the University of Maryland Eastern Shore.

Frosh said he expects to meet a June 11 deadline with federal courts to confirm the terms.

NEIGHBORHOOD INFORMATION MEETING

The public is invited to attend a neighborhood meeting held by Daniel DeLisi, of DeLisi, Inc., (dan@delisi-inc.com, 239-913-7159) representing NBC Land Holdings II, LLC (application #: PL20200001823, South Florida Gas (CU) on:



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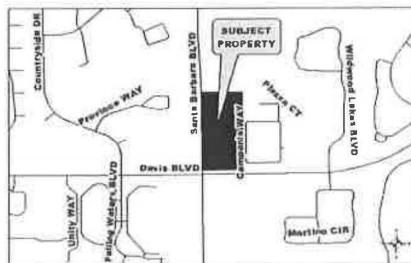
NEIGHBORHOOD INFORMATION MEETING

Shoppes at Santa Barbara MPUD Amendment (PL20200002233)

A Neighborhood Information Meeting hosted by D. Wayne Arnold, AICP, of Q. Grady Minor and Associates, P.A. and Richard D. Yovanovich, Esq. of Coleman, Yovanovich & Koester, P.A., representing Altman Development Company, LLC (Applicant) will be held on May 18, 2021, 5:30 pm at New Hope Ministries, 7675 Davis Blvd, Naples, FL 34104. Individuals who have questions or would like to participate remotely should contact Sharon Umphenour, Senior Planning Technician with Q. Grady Minor and Associates, P.A. by email: sumpenhour@gradymenor.com, phone: 239-947-1144, or mail: 3800 Via Del Rey, Bonita Springs, FL 34134. Project information is posted online at www.gradymenor.com/planning.

Altman Development Company, LLC submitted a formal application to Collier County, seeking approval of a Mixed Use Planned Unit Development (MPUD) Amendment. The amendment proposes to modify the previously approved permitted uses to add a maximum of 242 multi-family residential dwelling units as a development option within a 15.1± acre portion of the MPUD, add development standards for the residential dwelling units and to modify the Master Plan to designate commercial and mixed-use tracts for the project.

The subject property is comprised of 15.1± acres, located on the northeast corner of Santa Barbara Boulevard and Davis Boulevard in Section 4, Township 50 South, Range 26 East, Collier County, Florida.



The Neighborhood Information Meeting is for informational purposes, it is not a public hearing.

Happy Mother's Day

ONLY \$1500

Sunday, May 9th, 2020

Hurry! Deadline is Monday, May 3rd

Please call 888-508-9353, email classified@naplesnews.com, or visit www.naplesnews.com/celebrations to place your ad today!

AFFIDAVIT OF COMPLIANCE

I hereby certify that pursuant to Ordinance 2004-41, of the Collier County Land Development Code, I did cause the attached newspaper advertisement to appear and I did give notice by mail to the following property owners and/or condominium and civic associations whose members may be affected by the proposed land use changes of an application request for a rezoning, PUD amendment, or conditional use, at least 15 days prior to the scheduled Neighborhood Information Meeting. *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 and the date, time, and place of a Neighborhood Information Meeting.

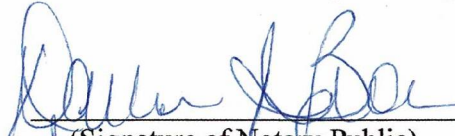
Per the attached letters, property owner's list, and copy of newspaper advertisement which are hereby made a part of this Affidavit of Compliance



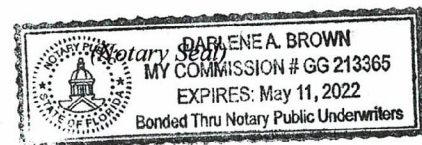
(Signature of Applicant)

State of Florida
County of ~~Collier~~ Palm Beach

The foregoing Affidavit of compliance was acknowledged before me this 7 day of July, ~~2010~~ ²⁰²¹ by Daniel Delisi, who is personally known to me or who has produced Florida DL as identification.



(Signature of Notary Public)
Darlene A. Brown
Printed Name of Notary



May 7, 2021

Dear Property Owner:

Please be advised that a formal application has been submitted to Collier County seeking approval of a Conditional Use (CU) for the following described property:

PETITION NO. PL20200001823 - South Florida Gas (CU) – Request for approval of a Conditional Use to allow a liquid propane storage and distribution facility pursuant to Section 2.03.04.A.1.c.23 of the Collier County Land Development Code on a 0.92± acre property located on the east side of Recycling Way approximately 0.4 miles north of Tamiami Trail East (US 41) in Section 18, Township 51 South, Range 27 East, Collier County, Florida.

In compliance with the Land Development Code requirements, a Neighborhood Information Meeting will be held to provide you an opportunity to become fully aware of the proposed use and give you the opportunity to provide comments and suggestions. The Neighborhood Information Meeting will be held on Thursday, May 27th at 5:30 PM in the Community Center Large Meeting Room, at the Donna Fiala Eagle Lakes Community Park, 11565 Tamiami Trail East, Naples, FL 34113.

Due to COVID-19, special accommodations will be made to allow people to attend in person or virtually. The meeting will be held indoors at the Community Park where CDC guidelines will be observed. Reservations for in-person meeting attendance is required to ensure social distancing can be met. The meeting will also be online via Zoom. Should you choose to either participate in the Zoom meeting or want to attend in-person, please notify us via email at dan@delisi-inc.com prior to May 27th to allow us to send you login instructions and document your reservation.

At this meeting the petitioner will make every effort to illustrate how the property will be developed and to answer any questions. Should you have questions prior to the meeting, please contact me.

Sincerely,

DeLisi, Inc.



Daniel DeLisi, AICP

Attachment: attachment B - hearing package 072721 (17592 : PL20200001823 CU South Florida Gas)

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: PL20200001823(CU) | Buffer: 1000' | Date: 4/5/2021 | Site Location: 00763880208

NAME1	NAME2	NAME3	NAME6	FOLIO
ABK & CLK PROPERTIES LLC	14100 TAMIAMI TRL E LOT 115		NAPLES, FL 34114---8478	61510001282
ABK & CLK PROPERTIES LLC	14100 TAMIAMI TRL E LOT 115		NAPLES, FL 34114---8478	61510001363
ABK & CLK PROPERTIES LLC	14100 TAMIAMI TRL E LOT 115		NAPLES, FL 34114---8478	61510001389
AHERN, JAMES	8982 SHENENDOAH CIRCLE		NAPLES, FL 34113---0	61510001143
ALLTEL COMMUNICATIONS INC	PO BOX 2549		ADDISON, TX 75001---0	00763880101
ASHER, FREDERICK & NORMA	8917 LELY ISLAND CIR		NAPLES, FL 34113---2613	61510001680
BARAJAS, RAFAEL	11321 TRINITY PL		NAPLES, FL 34114---0	00761080000
BARBIERI WADE LLC	3935 TREASURE COVE CIRCLE		NAPLES, FL 34114---0	61510001208
BARBIERI WADE LLC	3935 TREASURE COVE CIRCLE		NAPLES, FL 34114---0	61510001224
BARBIERI WADE LLC	3935 TREASURE COVE CIRCLE		NAPLES, FL 34114---0	61510001486
BARBIERI WADE LLC	3935 TREASURE COVE CIRCLE		NAPLES, FL 34114---0	61510001509
BEIFUS JR, ANDREW	BARBARA B DRAYTON	81 BROOKLAWN DRIVE	MORRIS PLAINS, NJ 07950---0	00763320001
BOUCHARD, ARISTID M & SAUNDRA	PO BOX 1129		SYKESVILLE, MD 21784---1129	61510001088
CEMEX CONSTRCTN MALT FL LLC	ATTN: SHARED SERVICES-AFS	1501 BELVEDERE RD	WEST PALM BEACH, FL 33406---1501	00763800000
CEMEX CONSTRUCTION MATERIALS	FLORIDA LLC	ATTN: SHARED SERVICES-AFS	WEST PALM BEACH, FL 33406---1501	00763840002
CRAFT, JAMES W	SALLY J CRAFT	3535 3RD AVE SW	NAPLES, FL 34117---0	00763560007
DAVID A RENNER LIVING TRUST	12434 MASSILLON RD		ORRVILLE, OH 44667---0	61510001622
DICKENS, RORY & JANET E	530 S COLLIER BLVD #1103		MARCO ISLAND, FL 34145---0	61510001169
DONAHUE, MICHAEL	95 CALDWELL FARM ROAD		BYFIELD, MA 01922---0	61510001185
G W FISHELL PAINTING INC	PO BOX 223		MARCO ISLAND, FL 34146---223	61510001664
GEORGINA M LOPEZ LIV TRUST	5871 SW 52ND TERR		MIAMI, FL 33155---0	00763882206
GURIEN, ANDREW M	11275 TRINITY PL		NAPLES, FL 34114---0	00761880006
HABITAT FOR HUMANITY	OF COLLIER COUNTY	11145 TAMIAMI TRL E	NAPLES, FL 34113---7753	61510001606
HERBERT & LINDA MATHEWS 2017	JOINT REVOCABLE TRUST	3927 TREASURE COVE CIR	NAPLES, FL 34114---0	61510001305
HERBERT & LINDA MATHEWS 2017	JOINT REVOCABLE TRUST	3927 TREASURE COVE CIR	NAPLES, FL 34114---0	61510001321
HERBERT & LINDA MATHEWS 2017	JOINT REVOCABLE TRUST	3927 TREASURE COVE CIR	NAPLES, FL 34114---0	61510001347
JANE E MEYERING FAM TRUST	1595 S SHORE DR		HOLLAND, MI 49423---0	61510001127
KBR VENTURES LLC	7593 CORDOBA CIRCLE		NAPLES, FL 34109---0	61510001525
KBR VENTURES LLC	7593 CORDOBA CIRCLE		NAPLES, FL 34109---0	61510001541
KBR VENTURES LLC	7593 CORDOBA CIRCLE		NAPLES, FL 34109---0	61510001567
KBR VENTURES LLC	7593 CORDOBA CIRCLE		NAPLES, FL 34109---0	61510001583
KERNAN FAMILY TRUST	700 LA PENINSULA BLVD #106		NAPLES, FL 34113---0	61510001842
KERNAN FAMILY TRUST	700 LA PENINSULA BLVD #106		NAPLES, FL 34113---0	61510001981
KERNAN FAMILY TRUST	700 LA PENINSULA BLVD #106		NAPLES, FL 34113---0	61510002003
KUESTER FAMILY REV LIV TRUST	35150 320TH STREET		RICHVILLE, MN 56576---0	61510001046
KUESTER FAMILY REV LIV TRUST	35159 320TH ST		RICHVILLE, MN 56576---9523	61510001020

Attachment: attachment B - hearing package 072721 (17592 : PL20200001823 CU South Florida Gas)

KUESTER FAMILY REV LIV TRUST	35159 320TH STREET		RICHVILLE, MN 56576---0	61510001101
LAND ART REAL ESTATE LLC	537 TONBRIDGE CT		PERRYSBURG, OH 43551---5210	61510001800
LAND ART REAL ESTATE LLC	537 TONBRIDGE CT		PERRYSBURG, OH 43551---5210	61510002061
LAND ART REAL ESTATE LLC	537 TONBRIDGE CT		PERRYSBURG, OH 43551---5210	61510002087
LEVY NAPLES HOLDING LLC	4131 W HALLANDALE BEACH BLVD		HOLLYWOOD, FL 33023---4449	00763640008
MCCARTHY, BARBARA JOYCE	523 101ST AVE N		NAPLES, FL 34108---3202	00763760001
MCCARTHY, BARBARA JOYCE	600 NEAPOLITAN WAY APT 240		NAPLES, FL 34103---8568	00763880004
MOLOCZYJ ET AL, JOSEPH	2300 S PARK AVE		STREAMWOOD, IL 60107---2972	00763280002
MOLOCZYJ ET AL, JOSEPH	2300 S PARK AVE		STREAMWOOD, IL 60107---2972	00763680000
MORENO, IRMA	THOMAS ZAMARRIPA	14537 SONOMA BLVD	NAPLES, FL 34114---0	00761960007
MORRISON, FRANK B	PHYLLIS J MADISON-MORRISON	5725 GAGE LN APT 201	NAPLES, FL 34113---3561	61510001703
NBC LAND HOLDINGS LLC	2338 IMMOKALEE RD, STE 109		NAPLES, FL 34110---0	61510000047
NBC LAND HOLDINGS LLC	7593 CORDOBA CIRCLE		NAPLES, FL 34109---0	00763880208
NBC NORTH LLC	7593 CORDOBA CIR		NAPLES, FL 34109---0	61510000063
NBC NORTH LLC	7593 CORDOBA CIRCLE		NAPLES, FL 34109---0	00763720009
NBC RV LLC	2338 IMMOKALEE RD, STE 109		NAPLES, FL 34110---0	00763520005
OKENKA, MAREK	LENKA OKENKOVA	11141 TRINITY PL	NAPLES, FL 34114---8516	00760800003
PANOS, PHILIP J	DALE B NASH	14310 MANCHESTER DR	NAPLES, FL 34114---0	61510001745
PAUL A COSENTINO REV TRUST	280 SE 28TH AVE		POMPANO BEACH, FL 33062---5414	00763882303
PRATUS, JONATHAN	172 GULFSTREAM STREET		MARCO ISLAND, FL 34145---0	61510001062
RENNER, DAVID A	12434 BACK MASSILLON RD		ORRVILLE, OH 44667---0	61510001787
RENNER, DAVID A	12434 BACK MASSILLON RD		ORRVILLE, OH 44667---0	61510001868
RENNER, DAVID A	12434 BACK MASSILLON RD		ORRVILLE, OH 44667---0	61510001949
RENNER, DAVID A	12434 BACK MASSILLON RD		ORRVILLE, OH 44667---0	61510001965
RENNER, DAVID A	12434 BACK MASSILLON RD		ORRVILLE, OH 44667---0	61510002100
RENNER, DAVID A	12434 BACK MASSILLON RD		ORRVILLE, OH 44667---0	61510002126
RENNER, DAVID A	12434 BACK MASSILLON ROAD		ORRVILLE, OH 44667---0	61510001761
RENNER, DAVID A	12434 BACK MASSILLON ROAD		ORRVILLE, OH 44667---0	61510002142
RENNER, DAVID A	12434 BACK MASSILLON ROAD		ORRVILLE, OH 44667---0	61510002168
RODINSKY, PAUL L & PATRICIA E	11231 TRINITY PL		NAPLES, FL 34114---8559	00762520006
SCOTT W ROBERTS REV LIV TRUST	1851 BUERKLE RD		WHITE BEAR LAKE, MN 55110---5246	61510001648
SHNIPER, SAMUEL & PAMELA	1061 BOND CT		MARCO ISLAND, FL 34145---4509	61510001826
SHNIPER, SAMUEL & PAMELA	1061 BOND CT		MARCO ISLAND, FL 34145---4509	61510002029
SHNIPER, SAMUEL & PAMELA	1061 BOND CT		MARCO ISLAND, FL 34145---4509	61510002045
SIMMS, ANTHONY JOHN	VICTORIA ANNE SIMMS	236 SEMINOLE CT	MARCO ISLAND, FL 34145---4118	61510001884
SIMMS, ANTHONY JOHN	VICTORIA ANNE SIMMS	236 SEMINOLE CT	MARCO ISLAND, FL 34145---4118	61510001907
SIMMS, ANTHONY JOHN	VICTORIA ANNE SIMMS	236 SEMINOLE CT	MARCO ISLAND, FL 34145---4118	61510001923
SMYRNA READY MIX CONCRETE LLC	1136 2ND AVENUE NORTH		NASHVILLE, TN 37208---1702	00763600006
STIRS INVSTMNT GROUP LLC	1547 CAXAMBAS COURT		MARCO ISLAND, FL 34145---0	61510001240
STIRS INVSTMNT GROUP LLC	1547 CAXAMBAS COURT		MARCO ISLAND, FL 34145---0	61510001444
STIRS INVSTMNT GROUP LLC	1547 CAXAMBAS COURT		MARCO ISLAND, FL 34145---0	61510001460

THOMPSON, ERNEST F & LUCILLE	11081 TRINITY PL	NAPLES, FL 34114--0	00761320003
TOMIN, CAROLYN B	3823 COTTON GREEN PATH DR	NAPLES, FL 34114--9479	61510001729
WAS, MICHAEL	PO BOX 120	CLARENDON HILLS, IL 60514--0	61510001266
WAS, MICHAEL	PO BOX 120	CLARENDON HILLS, IL 60514--0	61510001402
WAS, MICHAEL	PO BOX 120	CLARENDON HILLS, IL 60514--0	61510001428
REFERENCE ONLY	NAPLES BIG CYPRESS INDUSTRIAL	PARK A CONDOMINIUM	00763882109
REFERENCE ONLY	NAPLES BIG CYPRESS LAND CONDO	A COMMERCIAL LAND CONDOMINIUM	00763882002



Traffic Impact Statement

South Florida Gas Conditional Use (CU)

Collier County, Florida
3/23/2021

Prepared for:

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Collier County Transportation Methodology Fee* – \$500.00 Fee

Collier County Transportation Review Fee – Small Scale Study – No Fee

Note – *to be collected at time of first submittal

Attachment: attachment B - hearing package 072721 (17592 : PL20200001823 CU South Florida Gas)

Statement of Certification

I certify that this Traffic Impact Statement has been prepared by me or under my immediate supervision and that I have experience and training in the field of Traffic and Transportation Engineering.

This item has been electronically signed and sealed by Norman J. Trebilcock, P.E., State of Florida license 47116, using a *SHA-1* authentication code. Printed copies of this document are not considered signed and sealed, and the *SHA-1* authentication code must be verified on any electronic copies.

Norman J. Trebilcock, AICP, PE, PTOE
FL Registration No. 47116
Trebilcock Consulting Solutions, PA
2800 Davis Boulevard, Suite 200
Naples, FL 34104
Company Cert. of Auth. No. 27796

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Project Description

The South Florida Gas project is located at the northern extent of Basik Drive, approximately 2,200 feet north of the US 41 (SR 90) and Basik Drive intersection, within Section 18, Township 51 South, Range 27 East, in southern Collier County, Florida. The project site has an area of approximately 0.92 acres and is currently vacant.

Refer to **Figure 1 – Project Location Map**, which follows and **Appendix A: Project Master Site Plan**.

Figure 1 – Project Location Map



The South Florida Gas Conditional Use (CU) project proposes an unmanned, liquefied petroleum gas (LP) bulk distribution facility. Current zoning for the project is I (Industrial District). The Industrial Zoning designation allows for the wholesale storage of liquefied petroleum as a Conditional Use under the Wholesale trade—non-durable goods classification.

There will be an 8-foot by 10-foot storage building on site as well as the gas storage tank(s). No other permanent structures are proposed. The anticipated operating characteristics for this project were provided by the facility owner and state that the proposed facility will accommodate 1 large truck supplying LP gas once every week, in peak season, to the onsite storage tanks. In addition, 1 smaller LP delivery truck will refill at the facility every other day in peak season conditions.

The Institute of Transportation Engineers (ITE) Trip Generation Manual (TGM) does not have a specific Land Use Code (LUC) for LP gas bulk distribution facilities. As such, the LUC 110 – General Light

Industrial, is conservatively used as a traffic generator for the purposes of this study. The trip generation will be based on a hypothetical 1,000 square foot (sf) building to illustrate the expected traffic this facility will produce.

The project provides a highest and best use scenario with respect to the project's proposed trip generation. Based on the ITE TGM, 10th Edition applicable land uses and per coordination with Collier County Transportation staff, the development program is illustrated in **Table 1**.

Table 1
Development Program

Development	Land Use [SIC Codes]	ITE Land Use	ITE Land Use Code	Total Size*
Propose CU Project	Petroleum Bulk Stations/Petroleum Wholesalers [5171/5172]	General Light Industrial	110	1,000 sf

Note(s): *No occupied structures are proposed for this project. The total size illustrated is utilized to generate an appropriate trip generation for the proposed project.

A methodology meeting was held with the Collier County Transportation Planning staff on October 20, 2020 via email (as referenced in **Appendix B: Initial Meeting Checklist**).

For purposes of this evaluation, the project build-out year is assumed to be consistent with the Collier County 2025 planning horizon.

Connection to subject project is proposed as 2 full access connections to Basik Drive at its northern extent. Basik Drive connects to US 41 with an existing full access opening.

Trip Generation

The project's site trip generation is based on the ITE Trip Generation Manual, 10th Edition. The software program OTISS (Online Traffic Impact Study Software, most current version) is used to create the raw unadjusted trip generation for the project. The ITE rates or equations are used for the trip generation calculations as applicable.

Based on ITE recommendations and Collier County Traffic Impact Statement (TIS) guidelines, no reductions for internal capture or pass-by trips have been taken into consideration.

A trip generation comparison was made between the 2 available independent variables for this LUC, per 1,000 square feet of gross floor area and number of employees. The calculations for trip generation utilizing employees conservatively considered 2 employees; the first employee is the driver of the weekly supply truck and the second employee is the driver of the LP delivery vehicle. The independent variable square feet produced the higher trip generation and is used in the analysis for this report.

The proposed CU trip generation is shown in **Table 2**.

Table 2
Trip Generation (Proposed Conditions) – Average Weekday

		24 Hour Two-Way Volume	AM Peak Hour			PM Peak Hour		
ITE Land Use	Size		Enter	Exit	Total	Enter	Exit	Total
General Light Industrial	1,000 sf	5	1	0	1	0	1	1

Detailed calculations can be found in **Appendix C: Trip Generation Calculations ITE 10th Edition**.

In agreement with the Collier County Traffic Impact Study (TIS) guidelines, significantly impacted roadways are identified based on the proposed project highest peak hour trip generation (net new total) and consistent with the peak hour of the adjacent street traffic. Based on the information contained in Collier County 2020 Annual Update and Inventory Report (AUIR), the peak hour for the adjacent roadway network is PM peak hour.

For the purpose of this TIS, the surrounding roadway network link concurrency analysis is based on projected PM peak hour net traffic generated by the proposed CU project (refer to **Table 2**). The site access turn lane analysis is calculated based on the overall generated traffic at build out conditions – weekday AM and PM peak hour trips (refer to **Table 2**).

Trip Distribution and Assignment

The traffic generated by the development is assigned to the adjacent roadways using the knowledge of the area and as coordinated with Collier County Transportation Planning Staff.

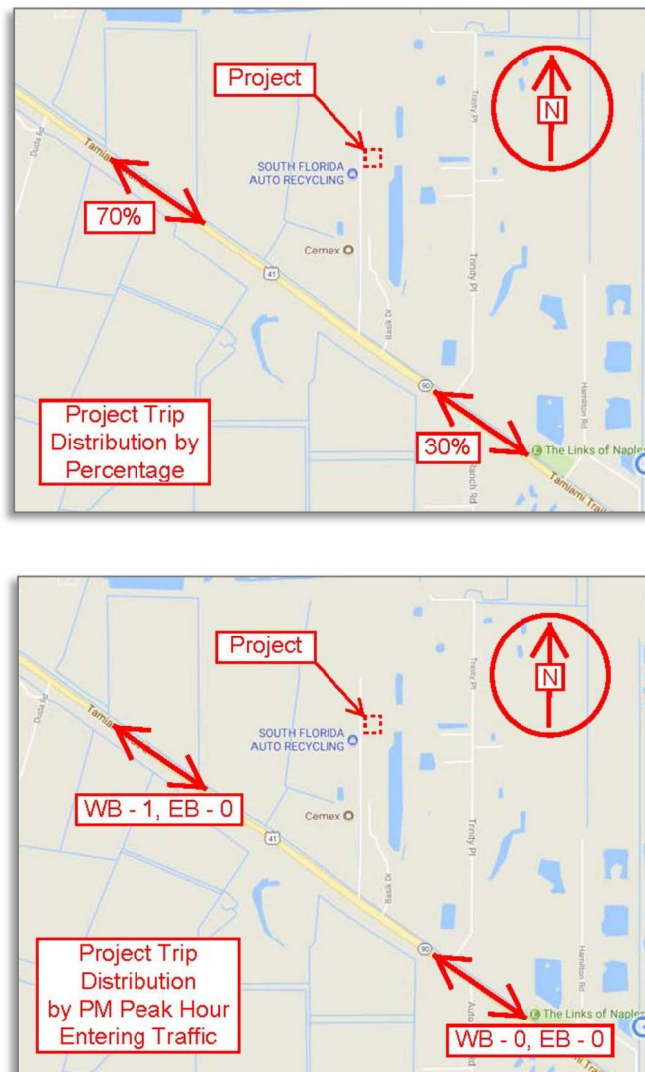
Estimated trip distribution is shown in **Table 3, Project Traffic Distribution for PM Peak Hour**, and is graphically depicted in **Figure 2 – Project Distribution by Percentage and By PM Peak Hour**.

Table 3
Project Traffic Distribution for PM Peak Hour

Roadway Link	Collier County Link No.	Roadway Link Location	Distribution of Project Traffic	PM Peak Hour Project Vol.*	
				Enter	Exit
US 41 (SR 90)	95.3	Greenway Rd. to Basik Dr.	70%	<u>EB – 0</u>	WB – 1
US 41 (SR 90)	95.3	Basik Dr. to San Marco Dr.	30%	WB – 0	<u>EB – 0</u>

Note(s): *Peak hour, peak direction traffic volumes are underlined and **bold** to be used in Roadway Link Level of Service calculations.

Figure 2 – Project Distribution by Percentage and by PM Peak Hour



Background Traffic

Average background traffic growth rates were estimated for the segments of the roadway network in the study area using the Collier County Transportation Planning staff guidance of a minimum 2% growth rate, or the historical growth rate from annual peak hour peak direction traffic volume (estimated from 2008 through 2020), whichever is greater. Another way to derive the background traffic is to use the 2020 AUIR volume plus the trip bank volume. **Table 4, Background Traffic without Project** illustrates the application of projected growth rates to generate the projected background (without project) peak hour peak direction traffic volume for the build-out year 2025.

Table 4
Background Traffic without Project (2020 - 2025)

Roadway Link	CC AUIR Link ID #	Roadway Link Location	2020 AUIR Pk Hr, Pk Dir Background Traffic Volume (trips/hr)	Projected Traffic Annual Growth Rate (%/yr) *	Growth Factor	2025 Projected Pk Hr, Peak Dir Background Traffic Volume w/out Project (trips/hr) Growth Factor**	Trip Bank	2025 Projected Pk Hr, Peak Dir Background Traffic Volume w/out Project (trips/hr) Trip Bank***
US 41 (SR 90)	95.3	Greenway Rd. to Basik Dr.	900	4.0%	1.2167	<u>1,095</u>	157	1,057
US 41 (SR 90)	95.3	Basik Dr. to San Marco Dr.	900	4.0%	1.2167	<u>1,095</u>	157	1,057

Note(s): *Annual Growth Rate - from 2020 AUIR spreadsheet, 2% minimum.

**Growth Factor = $(1 + \text{Annual Growth Rate})^5$. 2025 Projected Volume = 2020 AUIR Volume x Growth Factor.

***2025 Projected Volume = 2020 AUIR Volume + Trip Bank.

The projected 2025 Peak Hour – Peak Direction Background Traffic is the greater of the Growth Factor or Trip Bank calculation, which is underlined and **bold** as applicable.

Existing and Future Roadway Network

The existing roadway conditions are extracted from the 2020 Annual Update and Inventory Report (AUIR) and the project roadway conditions are based on the current Collier County Five-Year Work Program (FY2020-FY2024). Roadway improvements that are currently under construction or are scheduled to be constructed within the five-year Transportation Improvement Plan (TIP) or Capital Improvement program (CIP) are considered to be committed improvements. As no such improvements were identified in the Collier County Five-Year Work Program (FY2020-FY2024), the evaluated roadways are anticipated to remain as such through project build-out (2025 planning horizon year). The existing and future roadway conditions are illustrated in **Table 5, Existing and Future Roadway Conditions**.

Table 5
Existing and Future Roadway Conditions

Roadway Link	CC AUIR Link ID #	Roadway Link Location	2020 Roadway Conditions	Min. Standard LOS	2020 Peak Dir, Peak Hr Capacity Volume	2025 Roadway Conditions	2025 Peak Dir, Peak Hr Capacity Volume
US 41 (SR 90)	95.3	Greenway Rd. to Basik Dr.	2U	D	1,075 (EB)	2U	1,075 (EB)
US 41 (SR 90)	95.3	Basik Dr. to San Marco Dr.	2U	D	1,075 (EB)	2U	1,075 (EB)

Note(s): 2U = 2-lane undivided roadway; 4D, 6D, 8D = 4-lane, 6-lane, 8-lane divided roadway, respectively; LOS = Level of Service.

Project Impacts to Area Roadway Network-Link Analysis

The Collier County Transportation Planning Services developed Level of Service (LOS) volumes for the roadway links impacted by the project, which were evaluated to determine the project impacts to the area roadway network in the future (2025). The Collier County Transportation Planning Services guidelines have determined that a project will be considered to have a significant and adverse impact if **both** the percentage volume capacity exceeds 2% of the capacity for the link directly accessed by the project and for the link adjacent to the link directly accessed by the project; 3% for other subsequent links **and** if the roadway is projected to operate below the adopted LOS standard.

Based on the data contained within the 2020 AUIR, the US 41 segment from Greenway Road to San Marco Drive (Link ID #95.3) is shown to operate with a LOS deficiency in 2025 under background conditions. US 41 is under the Florida Department of Transportation (FDOT) jurisdiction and is listed as a Plan Period 2 (2026-2030) Construction Funded Project in the Collier County Metropolitan Planning Organization (MPO) 2045 Long Range Transportation Plan (LRTP). Currently, there are remaining trip bank trips for this roadway segment.

This project does not create any significant impacts to the area roadway network. **Table 6, Roadway Link Level of Service** illustrates the LOS impacts of the project on the roadway network closest to the project.

As illustrated in Collier County Land Development Code (LDC), Chapter 6.02.02 – M.2., once traffic from a development has been shown to be less than significant on any segment using Collier County TIS criterion, the development's impact is not required to be analyzed further on any additional segments. The link directly accessed by our project (US 41, CC Link No. 95.3) is not significantly impacted by the project (link is under 2% Collier County significance threshold). As such, all other roadway links are disregarded for the significance criteria.

Table 6
Roadway Link Level of Service (LOS) – With Project in the Year 2025

Roadway Link	CC AUIR Link ID #	Roadway Link Location	2025 Peak Dir, Peak Hr Capacity Volume	Roadway Link, Peak Dir, Peak Hr (Project Vol Added) *	2025 Peak Dir, Peak Hr Volume w/Project **	% Vol Capacity Impact by Project	Min LOS exceeded without Project? Yes/No	Min LOS exceeded with Project? Yes/No
US 41 (SR 90)	95.3	Greenway Rd. to Basik Dr.	1,075 (EB)	EB – 0	1,095	0.00%	Yes	Yes
US 41 (SR 90)	95.3	Basik Dr. to San Marco Dr.	1,075 (EB)	EB – 0	1,095	0.00%	Yes	Yes

Note(s): *Refer to **Table 3** from this report.

** 2025 Projected Volume = 2025 Background Volume (refer to **Table 4**) + Project Volume.

Based on Table 6, the proposed development has no transportation impacts to the roadway level of service (0.0% impact).

The analyzed roadway segments are not located within the Collier County's Transportation Concurrency Exception Area (TCEA). In addition, the proposed development is not situated within the County's designated Transportation Concurrency Management Area (TCMA). The TCEA's and TCMA's designations are provided in Policy 5.4 and 5.6 of the Transportation Element – Collier County Growth Management Plan (GMP).

Site Access and Intersection Turn Lane Analysis

Connection to subject project is proposed as 2 full access connections to Basik Drive at its northern extent. The 2 access points will allow for an easier circulation for large transport trucks through the project site.

Basik Drive connects to westbound US 41 at an existing full access opening. Turn lane lengths required at future build-out conditions are analyzed based on the number of turning vehicles within the peak hour traffic. This report assumes the existing project accesses are adequate to accommodate the entire project build-out traffic.

Basik Drive is a two lane, undivided local roadway and has an assumed legal speed limit of 25 mph in the vicinity of the project.

US 41 (SR 90) is a two-lane, without curb and gutter, undivided, Urban Principal Arterial – Other (UPAO) under the Florida Department of Transportation (FDOT) jurisdiction and has a posted speed of 60 mph in the vicinity of project.

Right Turn Lane – Westbound US 41 (SR 90) and Basik Drive Intersection

There is an existing westbound right-turn lane on US 41 that is approximately 440 feet long. Based on a posted speed of 60 mph on US 41 in the vicinity of project, the right-turning threshold volume for recommending a right-turn lane is 35-55 vph, according to the FDOT Access Management Guidebook. The project is expected to accommodate 0 vph and 0 vph right-turning movements during the AM and PM peak hour, respectively, which is below the FDOT threshold values. As such, turn lane modifications are not recommended at this location.

Left-Turn Lane – Eastbound US 41 (SR 90) and Basik Drive Intersection

There is an existing eastbound left-turn lane that is approximately 200 feet long and is developed to its maximum extent. As illustrated in the Access Management Guidebook, Section 6.3, on a two-lane roadway, exclusive left-turn lanes should be considered at any location serving the public, especially on curves and where speeds are 45 mph and higher.

Under background conditions and per the FDOT 2021 Standard Plans, the left-turn lane needs to be a minimum of 460 feet (which includes 50 feet of taper) plus required queue. The project is expected to generate 1 vph and 0 vph eastbound left-turning movements during the AM and PM peak hour, respectively, which is considered a negligible operational impact.

This turn lane is constrained by the left-turn lane directly west of this project and cannot be extended further. As such, based on the minimal traffic generated by the subject project, turn lane improvements are not recommended at this time.

Improvement Analysis

The US 41 segment from Greenway Road to San Marco Drive (Link ID #95.3) is shown to operate with a LOS deficiency in 2025 under background conditions. Based on the capacity roadway link analysis results, the proposed project is not a significant traffic generator for the roadway network at this location. Improvements are forecasted for this roadway segment in the 2045 MPO LRTP.

Consistent with the turn lane analysis results, turn lane modifications are not recommended on US 41 for this project.

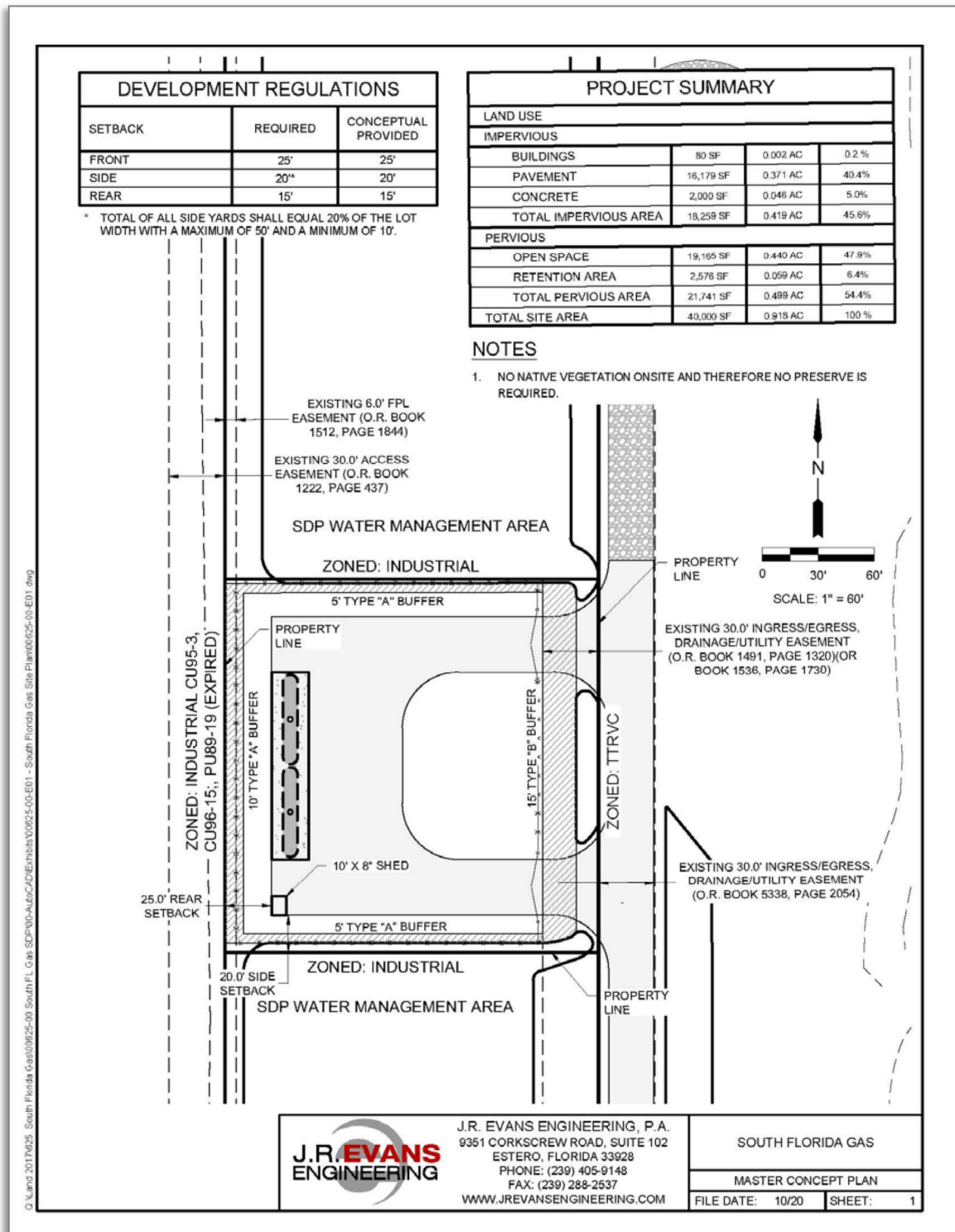
Mitigation of Impact

The developer proposes to pay the appropriate Collier County Road Impact Fee as building permits are issued for the project, or due to its minimal impacts such fees may not be required.

Appendix A:

Project Master Site Plan

Attachment: attachment B - hearing package 072721 (17592 : PL20200001823 CU South Florida Gas)



Appendix B:

Initial Meeting Checklist (Methodology Meeting)

MEETING CHECKLIST

Suggestion: Use this Appendix as a worksheet to ensure that no important elements are overlooked. Cross out the items that do not apply, or N/A (not applicable).

Date: October 20, 2020 **Time:** N/A

Location: N/A – Via Email

People Attending:

Name, Organization, and Telephone Numbers

- 1) Michael Sawyer, Collier County Growth Management Division
- 2) Norman Trebilcock, TCS
- 3) Daniel Doyle, TCS

Study Preparer:

Preparer's Name and Title: Norman Trebilcock, AICP, PE

Organization: Trebilcock Consulting Solutions, PA

Address & Telephone Number: 2800 Davis Boulevard, Suite 200, Naples, FL 34104; ph 239-566-9551

Reviewer(s):

Reviewer's Name & Title: Michael Sawyer, Project Manager

Organization & Telephone Number: Collier County Transportation Planning Department 239-252-2926

Applicant:

Applicant's Name: J.R. Evans Engineering, P.A.

Address: 9351 Corkscrew Road, Suite 102, Estero, FL 33928

Telephone Number: 239-405-9148

Proposed Development:

Name: Big Cypress Market Place – South Florida Gas – Conditional Use (CU)

Location: On northern terminus of Basik Drive, approximately 2,200 feet north of US 41/SR 90 and Basik Drive intersection (Refer to **Figure 1**)

Land Use Type: ITE Land Use Code (LUC) Industrial

ITE Code #: LUC 110 – General Light Industrial

Description: The CU project proposes an unmanned, liquified petroleum gas (LP) bulk distribution facility on an approximately 0.92-acre vacant parcel. There will be an 8' x 10' storage building on site as well as the gas storage tank(s). No other permanent structures are proposed. The operating characteristics provided by the facility owner state that the proposed facility will have 1 large truck supplying LP every 2 weeks in season and 1 LP delivery truck will refill at the facility every other day in season. As no specific ITE LUC exists for the proposed use, the LUC 110 is conservatively used as a traffic generator for

Page 1 of 6

the purposes of this study. The trip generation will be based on a hypothetical 1,000 sf building to illustrate the expected traffic this facility will produce.

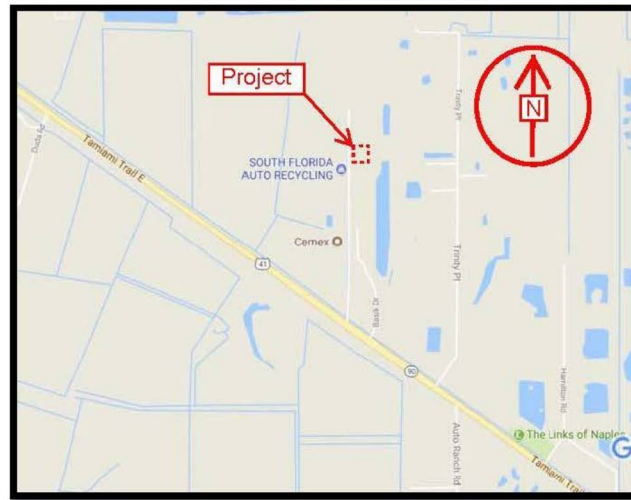
Zoning

Existing: I - Industrial

Comprehensive plan recommendation: No change

Requested: To allow for proposed development

Figure 1 – Project Location Map



Findings of the Preliminary Study:

Study type: Since estimated project net new traffic volume is less than 50 AM or PM 2-way peak hour trips, this study qualifies for a Small Scale TIS – no significant roadway and/or operational impacts within the county right-of-way.

This TIS will include AM-PM peak hour trip generation, traffic distribution and assignments, significance test, roadway link analysis and site access points turn lane analysis.

Roadway concurrency analysis – based on PM Peak Hour weekday traffic – 2%/2%/3% criterion.

Site Access – The project has 2 full access connections to Basik Drive, an existing internal roadway that connects to US 41 at its southern most point. Basik Drive has one full access opening onto northbound US 41. Analysis based on proposed total build-out estimated AM-PM Peak Hour weekday traffic. The existing southbound left-turn lane on US 41 at Basik Drive is constructed to its maximum extent.

US 41 Posted speed – 60 mph.

Consistent with ITE recommendations and Collier County TIS Guidelines, internal capture and pass-by reductions are not considered for this study.

Page 2 of 6

Study Type: (if not net increase, operational study)

Small Scale TIS ☒ Minor TIS ☐
 Major TIS ☐

Study Area:Boundaries: South – US 41 (SR 90)Additional intersections to be analyzed: N/ABuild-out Year: 2025Planning Horizon Year: 2025Analysis Time Period(s): Concurrency – PM Peak Hour; Operational – AM-PM Peak Hour.Future Off-Site Developments: N/ASource of Trip Generation Rates: ITE 10th Edition**Reductions in Trip Generation Rates:**None: N/APass-by trips: N/AInternal trips: N/ATransit use: N/AOther: N/A**Horizon Year Roadway Network Improvements: 2025****Methodology & Assumptions:**Non-site traffic estimates: Collier County traffic counts and 2020 AUIRSite-trip generation: OTISS – ITE 10th EditionTrip distribution: Engineer's estimate – refer to Figure 2.Traffic assignment method: project trip generation with background growthTraffic growth rate: historical 2008 – 2020 growth rate or 2% minimumTurning movement assignment: Engineer's estimate – refer to Figure 3.**Special Features:** (from preliminary study or prior experience)Accidents locations: N/ASight distance: N/AQueuing: N/AAccess location & configuration: N/ATraffic control: MUTCDSignal system location & progression needs: N/AOn-site parking needs: N/AData Sources: CC 2020 AUIR; CC Traffic CountsBase maps: N/APrior study reports: N/AAccess policy and jurisdiction: N/AReview process: N/ARequirements: N/AMiscellaneous: N/A

Figure 2 – Project Trip Distribution by Percentage

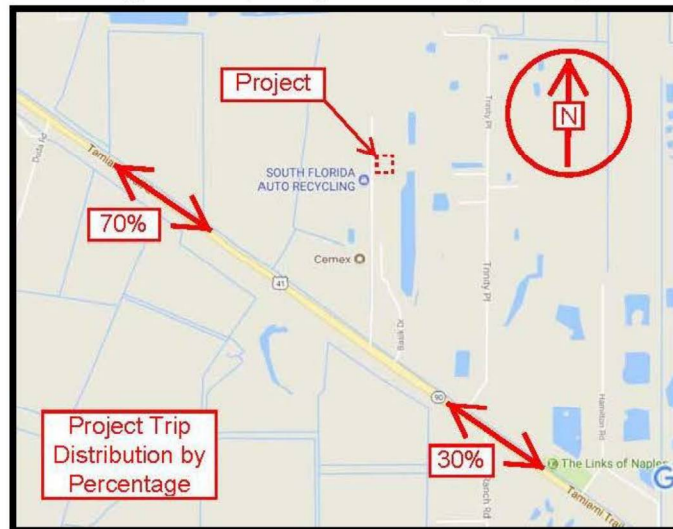
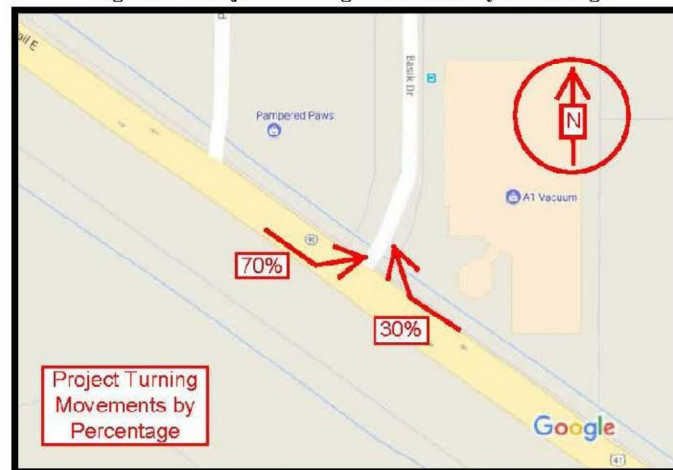


Figure 3 – Project Turning Movements by Percentage



Small Scale Study - No Fee	<u> X </u>
Minor Study - \$750.00	<u> </u>
Major Study - \$1,500.00	<u> </u>
Methodology Fee - \$500.00	<u> X </u>
Includes 0 intersections	<u> </u>
Additional Intersections - \$500.00 each	<u> </u>

All fees will be agreed to during the Methodology meeting and must be paid to Transportation prior to our sign-off on the application.

=====

SIGNATURES

Norman Trebilcock
Study Preparer—Norman Trebilcock

Reviewer(s)

Applicant

Collier County
Traffic Impact Study Review Fee Schedule

Fees will be paid incrementally as the development proceeds: Methodology Review, Analysis Review, and Sufficiency Reviews. Fees for additional meetings or other optional services are also provided below.

Methodology Review - \$500 Fee

Methodology Review includes review of a submitted methodology statement, including review of submitted trip generation estimate(s), distribution, assignment, and review of a “Small Scale Study” determination, written approval/comments on a proposed methodology statement, and written confirmation of a re-submitted, amended methodology statement, and one meeting in Collier County, if needed.

“Small Scale Study” Review - No Additional Fee (Includes one sufficiency review)

Upon approval of the methodology review, the applicant may submit the study. The review includes: a concurrency determination, site access inspection and confirmation of the study compliance with trip generation, distribution and maximum threshold compliance.

“Minor Study Review” - \$750 Fee (Includes one sufficiency review)

Review of the submitted traffic analysis includes: optional field visit to site, confirmation of trip generation, distribution, and assignment, concurrency determination, confirmation of committed improvements, review of traffic volume data collected/assembled, review of off-site improvements within the right-of-way, review of site access and circulation, and preparation and review of “sufficiency” comments/questions.

“Major Study Review” - \$1,500 Fee (Includes two intersection analysis and two sufficiency reviews)

Review of the submitted traffic analysis includes: field visit to site, confirmation of trip generation, special trip generation and/or trip length study, distribution and assignment, concurrency determination, confirmation of committed improvements, review of traffic volume data collected/assembled, review of traffic growth analysis, review of off-site roadway operations and capacity analysis, review of site access and circulation, neighborhood traffic intrusion issues, any necessary improvement proposals and associated cost estimates, and preparation and review of up to two rounds of “sufficiency” comments/questions and/or recommended conditions of approval.

“Additional intersection Review” - \$500 Fee

The review of additional intersections shall include the same parameters as outlined in the “Major Study Review” and shall apply to each intersection above the first two intersections included in the “Major Study Review”

“Additional Sufficiency Reviews” - \$500 Fee

Additional sufficiency reviews beyond those initially included in the appropriate study shall require the additional Fee prior to the completion of the review.

Appendix C:

Trip Generation Calculations ITE 10th Edition

Land Use: 110 General Light Industrial

Description

A light industrial facility is a free-standing facility devoted to a single use. The facility has an emphasis on activities other than manufacturing and typically has minimal office space. Typical light industrial activities include printing, material testing, and assembly of data processing equipment. Industrial park (Land Use 130) and manufacturing (Land Use 140) are related uses.

Additional Data

Time-of-day distribution data for this land use are presented in Appendix A. For the 30 general urban/suburban sites with data, the overall highest vehicle volumes during the AM and PM on a weekday were counted between 7:30 and 8:30 a.m. and 4:30 and 5:30 p.m., respectively.

The sites were surveyed in the 1980s, the 2000s, and the 2010s in Colorado, Connecticut, Indiana, New Jersey, New York, Oregon, Pennsylvania, and Texas.

Source Numbers

106, 157, 174, 177, 179, 184, 191, 251, 253, 286, 300, 611, 874, 875, 912



Project Information

Project Name:	South Florida Gas - CU
No:	
Date:	10/20/2020
City:	
State/Province:	
Zip/Postal Code:	
Country:	
Client Name:	
Analyst's Name:	DTD
Edition:	Trip Gen Manual, 10th Ed

Land Use	Size	Weekday		AM Peak Hour		PM Peak Hour	
		Entry	Exit	Entry	Exit	Entry	Exit
110 - General Light Industrial (General Urban/Suburban)	1 1000 Sq. Ft. GFA	3	2	1	0	0	1
Reduction		0	0	0	0	0	0
Internal		0	0	0	0	0	0
Pass-by		0	0	0	0	0	0
Non-pass-by		3	2	1	0	0	1
Total		3	2	1	0	0	1
Total Reduction		0	0	0	0	0	0
Total Internal		0	0	0	0	0	0
Total Pass-by		0	0	0	0	0	0
Total Non-pass-by		3	2	1	0	0	1

PERIOD SETTING

Analysis Name : Weekday
Project Name : South Florida Gas - CU **No :**
Date: 10/20/2020 **City:**
State/Province: **Zip/Postal Code:**
Country: **Client Name:**
Analyst's Name: DTD **Edition:** Trip Gen Manual, 10th Ed

Land Use	Independent Variable	Size	Time Period	Method	Entry	Exit	Total
110 - General Light Industrial (General Urban/Suburban)	1000 Sq. Ft. GFA	1	Weekday	Average 4.96	3 60%	2 40%	5

PERIOD SETTING

Analysis Name : AM Peak Hour
Project Name : South Florida Gas - CU **No :**
Date: 10/20/2020 **City:**
State/Province: **Zip/Postal Code:**
Country: **Client Name:**
Analyst's Name: DTD **Edition:** Trip Gen Manual, 10th Ed

Land Use	Independent Variable	Size	Time Period	Method	Entry	Exit	Total
110 - General Light Industrial (General Urban/Suburban)	1000 Sq. Ft. GFA	1	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 7 and 9 a.m.	Average 0.7	1 100%	0 0%	1

PERIOD SETTING

Analysis Name : PM Peak Hour
Project Name : South Florida Gas - CU **No :**
Date: 10/20/2020 **City:**
State/Province: **Zip/Postal Code:**
Country: **Client Name:**
Analyst's Name: DTD **Edition:** Trip Gen Manual, 10th Ed

Land Use	Independent Variable	Size	Time Period	Method	Entry	Exit	Total
110 - General Light Industrial (General Urban/Suburban)	1000 Sq. Ft. GFA	1	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 4 and 6 p.m.	Average 0.63	0 0%	1 100%	1

Project Information	
Project Name:	South Florida Gas - Employees
No:	
Date:	10/20/2020
City:	
State/Province:	
Zip/Postal Code:	
Country:	
Client Name:	
Analyst's Name:	DTD
Edition:	Trip Gen Manual, 10th Ed

Land Use	Size	Weekday		AM Peak Hour		PM Peak Hour	
		Entry	Exit	Entry	Exit	Entry	Exit
110 - General Light Industrial (General Urban/Suburban)	2 Employees	7	7	0	0	0	0
Reduction		0	0	0	0	0	0
Internal		0	0	0	0	0	0
Pass-by		0	0	0	0	0	0
Non-pass-by		7	7	0	0	0	0
Total		7	7	0	0	0	0
Total Reduction		0	0	0	0	0	0
Total Internal		0	0	0	0	0	0
Total Pass-by		0	0	0	0	0	0
Total Non-pass-by		7	7	0	0	0	0

PERIOD SETTING

Analysis Name : Weekday
 Project Name : South Florida Gas - Employees No :
 Date: 10/20/2020 City:
 State/Province: Zip/Postal Code:
 Country: Client Name:
 Analyst's Name: DTD Edition: Trip Gen Manual, 10th Ed

Land Use	Independent Variable	Size	Time Period	Method	Entry	Exit	Total
110 - General Light Industrial (General Urban/Suburban)	Employees	2	Weekday	Best Fit (LOG) $\ln(T) = 0.77\ln(X) + 2.13$	7 50%	7 50%	14

South Florida Gas – CU – TIS – March 2021

PERIOD SETTING

Analysis Name : AM Peak Hour
Project Name : South Florida Gas - Employees
Date: 10/20/2020
State/Province:
Country:
Analyst's Name: DTD
No :
City:
Zip/Postal Code:
Client Name:
Edition: Trip Gen Manual, 10th Ed

Land Use	Independent Variable	Size	Time Period	Method	Entry	Exit	Total
110 - General Light Industrial (General Urban/Suburban)	Employees	2	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 7 and 9 a.m.	Best Fit (LIN) $T = 0.54 (X) + -2.2$	0 0%	0 0%	0

PERIOD SETTING

Analysis Name : PM Peak Hour
Project Name : South Florida Gas - Employees
Date: 10/20/2020
State/Province:
Country:
Analyst's Name: DTD
No :
City:
Zip/Postal Code:
Client Name:
Edition: Trip Gen Manual, 10th Ed

Land Use	Independent Variable	Size	Time Period	Method	Entry	Exit	Total
110 - General Light Industrial (General Urban/Suburban)	Employees	2	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 4 and 6 p.m.	Best Fit (LIN) $T = 0.54 (X) + -3.96$	0 0%	0 0%	0

Attachment: attachment B - hearing package 072721 (17592 : PL20200001823 CU South Florida Gas)

Appendix D:

Turning Movements Exhibits

Attachment: attachment B - hearing package 072721 (17592 : PL20200001823 CU South Florida Gas)

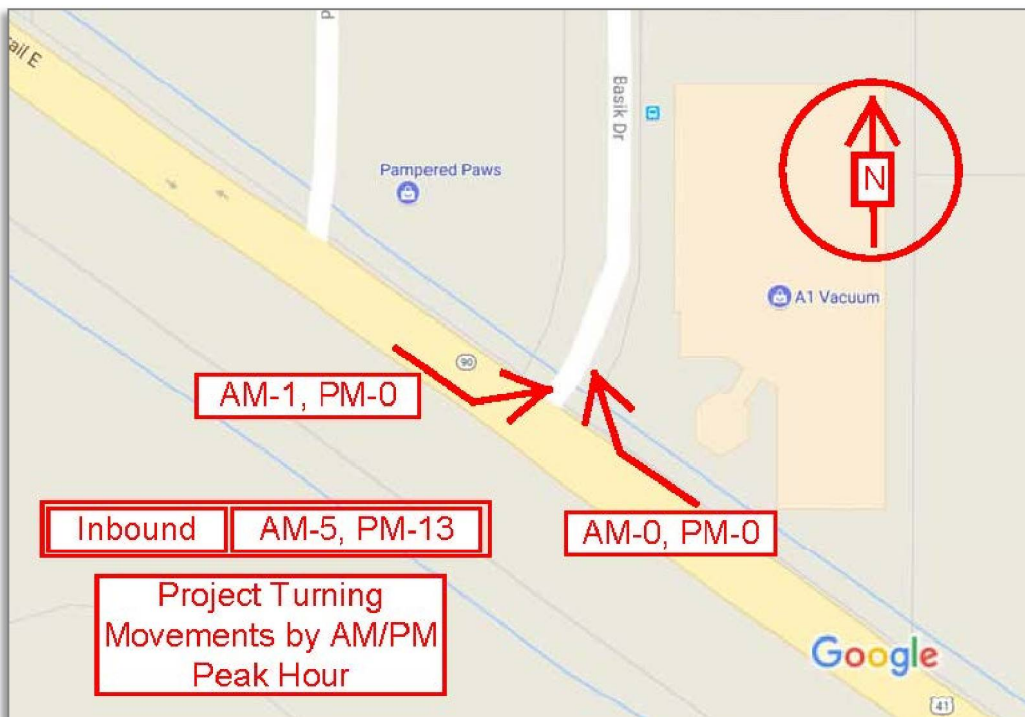
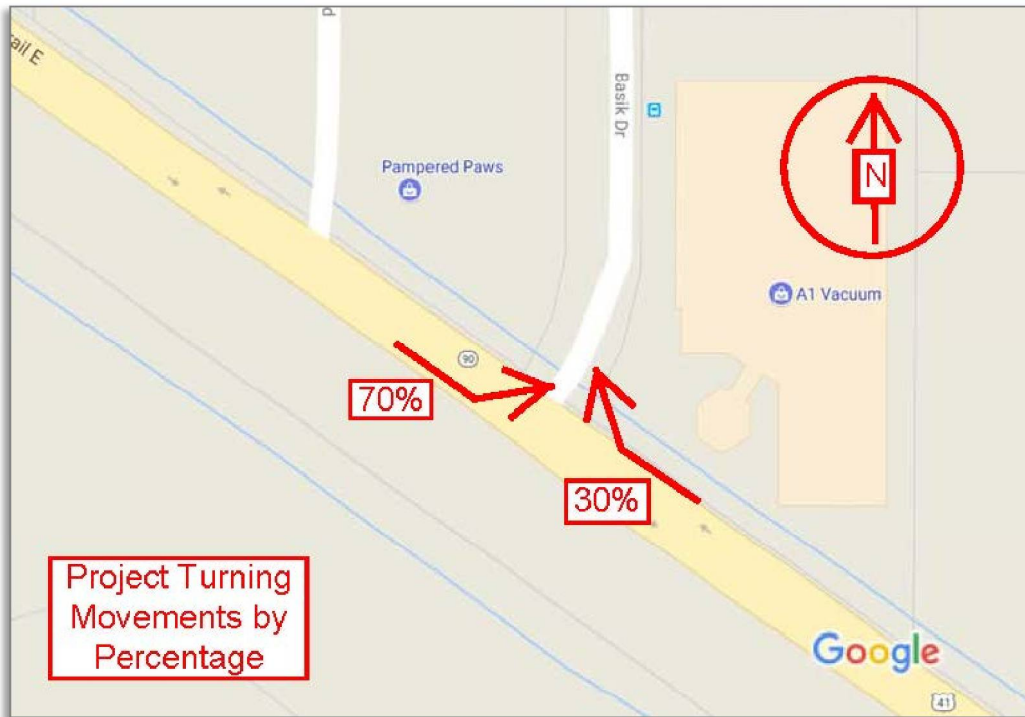


EXHIBIT "A" (CHICAGO TITLE INSURANCE COMPANY)

LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN AND BEING A PART OF THE EAST 1/2 OF THE EAST 1/2 OF THE EAST 1/2 OF SECTION 18, TOWNSHIP 51 SOUTH, RANGE 27 EAST, COLLIER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 18, TOWNSHIP 51 SOUTH, RANGE 27 EAST, COLLIER COUNTY, FLORIDA; THENCE ALONG THE EAST LINE OF SAID SECTION 18, SOUTH 00°32' 17" WEST 1467.35 FEET; THENCE LEAVING THE EAST LINE OF SAID SECTION 18, NORTH 89°29' 39" WEST 456.34 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE CONTINUE NORTH 89°29' 39" WEST 200.00 FEET TO THE WEST LINE OF THE EAST 1/2 OF THE EAST 1/2 OF THE EAST 1/2 OF SAID SECTION 18; THENCE ALONG THE WEST LINE OF THE EAST 1/2 OF THE EAST 1/2 OF THE EAST 1/2 OF SAID SECTION 18, NORTH 00°30' 21" EAST 200.00 FEET; THENCE SOUTH 89°29' 39" EAST 200.00 FEET; THENCE SOUTH 00°30' 21" WEST 200.00 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL.

SUBJECT TO AN EASEMENT FOR ROADWAY AND UTILITIES IN FAVOR OF THE GRANTOR AND GRANTEE OF THAT CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 1536, PAGE 1736, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA, AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, AND ALSO IN FAVOR OF ALL CURRENT AND FUTURE OWNERS OF ADJUTING LANDS AND THE PUBLIC, ON, OVER UNDER AND ACROSS A STRIP OF LAND THIRTY (30) FEET IN WIDTH LYING ALONG THE EASTERLY LINE OF SUBJECT PROPERTY THEREIN LEGALLY DESCRIBED IN EXHIBIT "A" AND SHOWN ON EXHIBIT "B" ATTACHED TO SAID DEED.

ALSO SUBJECT TO THAT CERTAIN EASEMENT EXECUTED IN FAVOR OF FLORIDA POWER & LIGHT COMPANY RECORDED IN OFFICIAL RECORDS BOOK 1512, PAGE 1844, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA, BOTH EASEMENTS EXTEND THE FULL LENGTH OF THE PROPERTY FROM NORTH TO SOUTH.

DESCRIPTION OF 30 FEET INGRESS, EGRESS, UTILITY AND DRAINAGE EASEMENT:

A PARCEL OF LAND LYING IN AND BEING A PART OF THE EAST 1/2 OF THE EAST 1/2 OF THE EAST 1/2 OF SECTION 18, TOWNSHIP 51 SOUTH, RANGE 27 EAST, COLLIER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 18, TOWNSHIP 51 SOUTH, RANGE 27 EAST, COLLIER COUNTY, FLORIDA; THENCE ALONG THE EAST LINE OF SAID SECTION 18, SOUTH 00°32' 17" WEST 1467.35 FEET; THENCE LEAVING THE EAST LINE OF SAID SECTION 18, NORTH 89°29' 39" WEST 456.34 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED 30 FEET INGRESS, EGRESS, UTILITY AND DRAINAGE EASEMENT; THENCE SOUTH 00°30' 21" WEST 295.60 FEET; THENCE SOUTH 16°11' 36" EAST 104.40 FEET; THENCE SOUTH 00°30' 21" WEST 1007.17 FEET TO AN INTERSECTION WITH THE NORTHERLY LINE OF A COUNTY ROAD RIGHT OF WAY; SAID POINT BEING ON A CURVE CONCAVE TO THE SOUTHEAST, SAID CURVE HAVING A CENTRAL ANGLE OF 352°20' 11". A RADIUS OF 50.00 FEET, A CHORD BEARING OF SOUTH 00°41' 44" WEST AND A CHORD LENGTH OF 30.45 FEET; THENCE RUN 30.94 FEET ALONG SAID CURVE TO A POINT; THENCE LEAVING SAID CURVE NORTH 00°30' 21" EAST 1007.19 FEET; THENCE NORTH 16°11' 36" WEST 104.40 FEET; THENCE NORTH 00°30' 21" EAST 500.00 FEET; THENCE SOUTH 89°29' 39" EAST 30 FEET; THENCE SOUTH 00°30' 21" WEST 200.00 FEET TO THE POINT OF BEGINNING.

NOTES

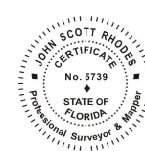
1. BEARINGS BASED ON THE EAST LINE SECTION 18, TOWNSHIP 51 SOUTH, RANGE 27 EAST, COLLIER COUNTY, FLORIDA, AS BEING SOUTH 00°32' 17" WEST.
2. ELEVATIONS ARE BASED ON N.G.V.D., 1929 UNLESS NOTED.
3. FIELD MEASUREMENTS ARE IN SUBSTANTIAL AGREEMENT WITH PLAT AND/OR DEED CALLS UNLESS NOTED.
4. SUBJECT TO EASEMENTS, RESERVATIONS AND RESTRICTIONS OF RECORD.
5. THIS SURVEY PERFORMED WITH BENEFIT OF TITLE COMMITMENT BY CHICAGO TITLE INSURANCE COMPANY, HAVING ORDER NUMBER 7526053, WITH AN EFFECTIVE DATE OF MARCH 11, 2019 AT 8:00 A.M.
6. SURVEYORS CERTIFICATION DOES NOT APPLY TO MATTERS OF TITLE ZONING, OR FREEDOM OF ENCUMBRANCES AND IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
7. NO UNDERGROUND UTILITIES, FOUNDATIONS OR OTHER UNDERGROUND INSTALLATIONS WERE LOCATED UNLESS SHOWN.
8. NO OTHER PERSONS OR ENTITIES, OTHER THAN SHOWN, MAY RELY ON THIS SURVEY.
9. ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF, UNLESS OTHERWISE NOTED.
10. SUBJECT PROPERTY CONTAINS 40,000 SQUARE FEET, MORE OR LESS IN AREA.

ABBREVIATIONS

BNP	= BASE OF BEARING	P.O.C.	= POINT OF COMMENCEMENT
C/L	= CENTERLINE	P.O.B.	= POINT OF BEGINNING
DP	= DATE OF PLACEMENT	PSM	= PROFESSIONAL SURVEYOR
SR	= SET 5/8" IRON ROD	WM	= WIRE AND MAPPER
SPL	= SURVEY LINE	W/L	= RIGHT OF WAY LINE
W/O	= NATIONAL GEODESIC	TEL	= TELEPHONE BOX
CHW	= OVERHEAD WIRE	UC	= UTILITY CEMENT
WM	= WATER METER	O.R.	= OFFICIAL RECORDS
EM	= ELECTRIC METER	WMS	= WATER MAIN BOX
WMS	= WATER MAIN STUB	WES	= WATER END SECTION
CB	= CATCH BASIN	WV	= WIRE
EDG	= EDGE OF GRAVEL	X	= GROUND ELEVATION
WHS	= WASTE HANDHOLE		
WTS	= WATER TEST STATION		
WV	= WIRE		
ROP	= REINFORCED CONCRETE PIPE		

CERTIFICATION:

I CERTIFY THAT THIS SURVEY WAS MADE UNDER MY DIRECTION AND THAT IT MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 54-17.052-053, FLORIDA ADMINISTRATIVE CODE, PURSUANT CHAPTER 472.027, FLORIDA STATUTES.



JOHN SCOTT RHODES, P.S.M. #5739		design:
BOUNDARY SURVEY		drawn: BNC
CERTIFIED TO:		checked: NMR
NBC LAND HOLDINGS, LLC CHICAGO TITLE INSURANCE COMPANY STEVEN A. BRACCO, PA		acad #:
		8019-36
		view:
		PLAT
		project:
		2019-36
		sheet #:
		1 of 1
		file #:
		8019-36
		BNDRY
28100 BONITA GRANDE DRIVE, #107 BONITA SPRINGS, FLORIDA 34135 (239) 405-8166 (239) 405-8163 FAX		

SCHEDULE B SECTION II (CHICAGO TITLE INSURANCE COMPANY)

ITEMS 1-5, 15, 16 ARE EITHER STANDARD EXCEPTIONS OR NOT SURVEY RELATED.

6. ROADWAY EASEMENT CREATED BY THAT CERTAIN DEED RECORDED IN OFFICIAL RECORDS BOOK 244, PAGE 683, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

7. INGRESS, EGRESS, UTILITY AND DRAINAGE EASEMENT MORE PARTICULARLY SET FORTH IN THAT CERTAIN INSTRUMENT - RECORDED IN OFFICIAL RECORDS BOOK 1491, PAGE 1328, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

8. EASEMENT GRANTED TO FLORIDA POWER & LIGHT COMPANY BY INSTRUMENT RECORDED MARCH 15, 1995 IN OFFICIAL RECORDS BOOK 1512, PAGE 1844, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

9. EASEMENT FOR ROADWAY AND UTILITIES RESERVED IN THAT CERTAIN WARRANTY DEED RECORDED JUNE 14, 1990, IN OFFICIAL RECORDS BOOK 1536, PAGE 1730, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

10. DRAINAGE AND MAINTENANCE EASEMENT IN FAVOR OF COLLIER COUNTY GRANTED BY INSTRUMENT RECORDED OCTOBER 16, 1990, IN OFFICIAL RECORDS BOOK 1564, PAGE 796, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

11. EASEMENT GRANTED TO FLORIDA POWER & LIGHT COMPANY BY INSTRUMENT RECORDED IN OFFICIAL RECORDS BOOK 3462, PAGE 1013, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

12. TITIAL COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS, ASSESSMENTS AND POSSIBLE LIENS CREATED BY AND SET FORTH IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR MAPLES BIG CYPRESS CONDOMINIUM IN OFFICIAL RECORDS BOOK 3574, PAGE 1150, AMENDED BY INSTRUMENTS RECORDED IN OFFICIAL RECORDS BOOK 4760, PAGE 137, AND IN OFFICIAL RECORDS BOOK 3506, PAGE 236, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA, TOGETHER WITH ANY FURTHER AMENDMENTS THERETO.

13. COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS, ASSESSMENTS AND POSSIBLE LIENS, TERMS AND OTHER PROVISIONS OF DECLARATION OF CONDOMINIUM OF MAPLES BIG CYPRESS LAND CONDOMINIUM, A CONDOMINIUM, AND EXHIBITS ANNEXED THERETO RECORDED IN OFFICIAL RECORDS BOOK 3574, PAGE 1150, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA, TOGETHER WITH ANY AMENDMENTS THERETO.

14. [DELETED.]

15. PROPERTY IS SUBJECT TO COLLIER COUNTY ORDINANCES AND/OR RESOLUTIONS WHICH ESTABLISH MANDATORY GARBAGE AND SOLID WASTE COLLECTION IN COLLIER COUNTY; SAID PROPERTY IS SUBJECT TO ALL ASSESSMENTS MADE UNDER SAID ORDINANCES/RESOLUTIONS.

16. RIGHTS OF TENANTS OCCUPYING ALL OR PART OF THE INSURED LAND UNDER UNRECORDED LEASES OR RENTAL AGREEMENTS.

SCHEDULE B SECTION II SURVEYOR RESPONSES

6. DOES NOT AFFECT SUBJECT PROPERTY.
7. AFFECTS SUBJECT PROPERTY. NOTED AND SHOWN HEREON.
8. AFFECTS SUBJECT PROPERTY. NOTED AND SHOWN HEREON.
9. AFFECTS SUBJECT PROPERTY. NOTED AND SHOWN HEREON.
10. DOES NOT AFFECT SUBJECT PROPERTY.
11. DOES NOT AFFECT SUBJECT PROPERTY.
12. DOES NOT AFFECT SUBJECT PROPERTY.
13. DOES NOT AFFECT SUBJECT PROPERTY.

FLOOD ZONE:
ZONE AE 6.0 NAVO
ZONE AE 7.0 NAVO
ZONE X

PANEL NO.:
12021C 0630 H

MAP REVISION DATE:
MAY 16, 2017

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)

AFFIDAVIT OF POSTING NOTICE

STATE OF FLORIDA
COUNTY OF COLLIER

BEFORE THE UNDERSIGNED AUTHORITY, PERSONALLY APPEARED Daniel DeLisi
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

PL20200001823 :

Daniel DeLisi

SIGNATURE OF APPLICANT OR AGENT

520 27th St.

STREET OR P.O. BOX

Daniel DeLisi

NAME (TYPED OR PRINTED)

West Palm Beach, FL 33407

CITY, STATE ZIP

#

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was sworn to and subscribed before me this 26th day of July, 2021, by
Dan DeLisi, personally known to me or who produced _____ as identification
and who did/did not take an oath.



Kelly M. Mann
Signature of Notary Public

Kelly M. Mann
Printed Name of Notary Public

My Commission Expires:
(Stamp with serial number)

PUBLIC HEARING NOTICE

South Florida Gas
Conditional Use
Petition No. 20200001823

HEX: August 12, 2021 - 9:00 a.m.
Growth Management Building - 609/610
2800 N. Horseshoe Dr., Naples, FL 34104
John Kelly, Senior Planner: 239-252-5719

PUBLIC HEARING NOTICE

South Florida Gas
Conditional Use

Petition No. 20200001823

HEX: August 12, 2021 - 9:00 a.m.

Growth Management Building - 609/610
2800 N. Horseshoe Dr., Naples, FL 34104
John Kelly, Senior Planner: **239-252-5719**

BIG CYPRESS MARKET PLACE PHASE 3

INSUBSTANTIAL CHANGE TO SDPA PL20170003073 ^Δ

LOCATED IN COLLIER COUNTY, FLORIDA

SECTION 18, TOWNSHIP 51 SOUTH, RANGE 27 EAST



PROPERTY OWNER

NBC LAND HOLDINGS LLC
2338 IMMOKALEE ROAD
SUITE 435
NAPLES, FLORIDA 34110
TEL: (239) 262-4622
FAX: (239) 262-8594

SITE ADDRESS

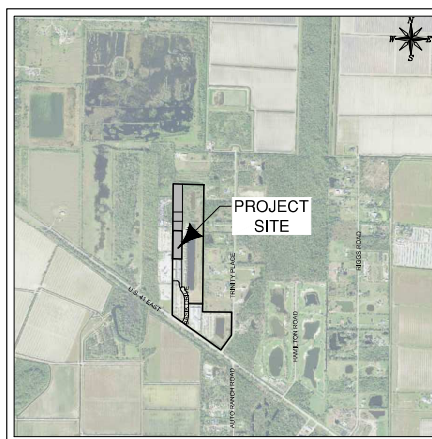
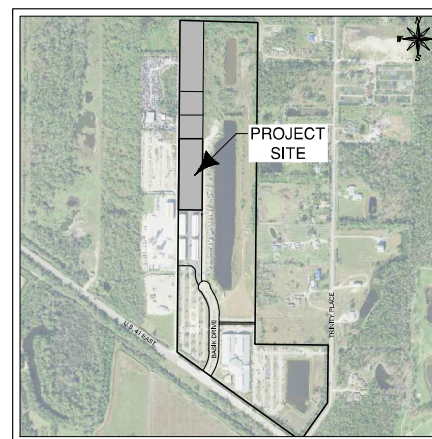
195 BASIK DRIVE, NAPLES FL. 34114

PROPERTY INFORMATION

FOLIO ID - 61510000047 & 61510000063
STRAP - 502100B6C18 & 502100C6C18

ZONING_Δ

INDUSTRIAL

VICINITY MAP
NTS

LOCATION MAP
N.T.S.

INDEX OF SHEETS

- 1 COVER SHEET
- 2 AERIAL MAP, EROSION CONTROL PLAN AND DETAILS
- 3 EXISTING CONDITIONS, DEMOLITION PLAN AND GENERAL NOTES
- 4 ZONING DATA SHEET
- 5 SURFACE WATER MANAGEMENT SHEET
- 6 MASTER UTILITY PLAN
- 7 MASTER PAVING, GRADING, DRAINAGE AND CROSS SECTIONS (A)
- 8 MASTER PAVING, GRADING, DRAINAGE & CROSS SECTIONS (B)
- 9 PLAN AND PROFILE & SIGNAGE AND STRIPING
- 10 PLAN AND PROFILE
- 11 GRADING, PAVING AND DRAINAGE DETAILS
- 12 COLLIER COUNTY UTILITY DETAILS

BIG CYPRESS MARKET PROPERTY INFORMATION		
	FILE #	LEGAL DESCRIPTION
EXISTING INDUSTRIAL BLVD (PHASE 1)	0761000020 AND 0763825617	NARLES BIG CYPRESS INDUSTRIAL PARK A COMMERCIAL LOT 201 AND 18.51 ST THAT PORTION OF OR 3714 PG 1971 (LIES SOUTH OF) NARLES BIG CYPRESS INDUSTRIAL CONC
EXISTING MARKET PLACE & GAS200 (PHASE 2)	0076388035 AND 0763804032	18.52 ST 247520 NARLES A V OF USE OF B'G BEING DESCRIBED IN OR 2481 PG 562 AND A 1977 USE STRIP CO 2000 NARLES 3122 PG 3442
RV SELF STORAGE (PHASE 3)	0761000047 AND 0761000048	18.52 ST 247520 NARLES B V OF USE OF B'G BEING DESCRIBED IN OR 2481 PG 562 LESS THAT PORTION NARLES CYPRESS COMMERCIAL AND COMMERCIAL AND COMMERCIAL-INDUS
	0761000047 AND 0761000048	247520 NARLES A V OF USE OF B'G BEING DESCRIBED IN OR 2481 PG 562
	0761000047 AND 0761000048	NARLES BIG CYPRESS AND CONC A COMMERCIAL, CONDOMINIUM LOT C
	0761000047 AND 0761000048	NARLES BIG CYPRESS AND CONC A COMMERCIAL, CONDOMINIUM LOT C

[illegible]

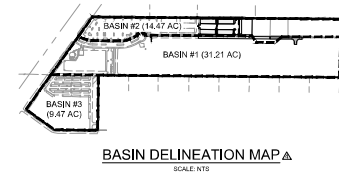
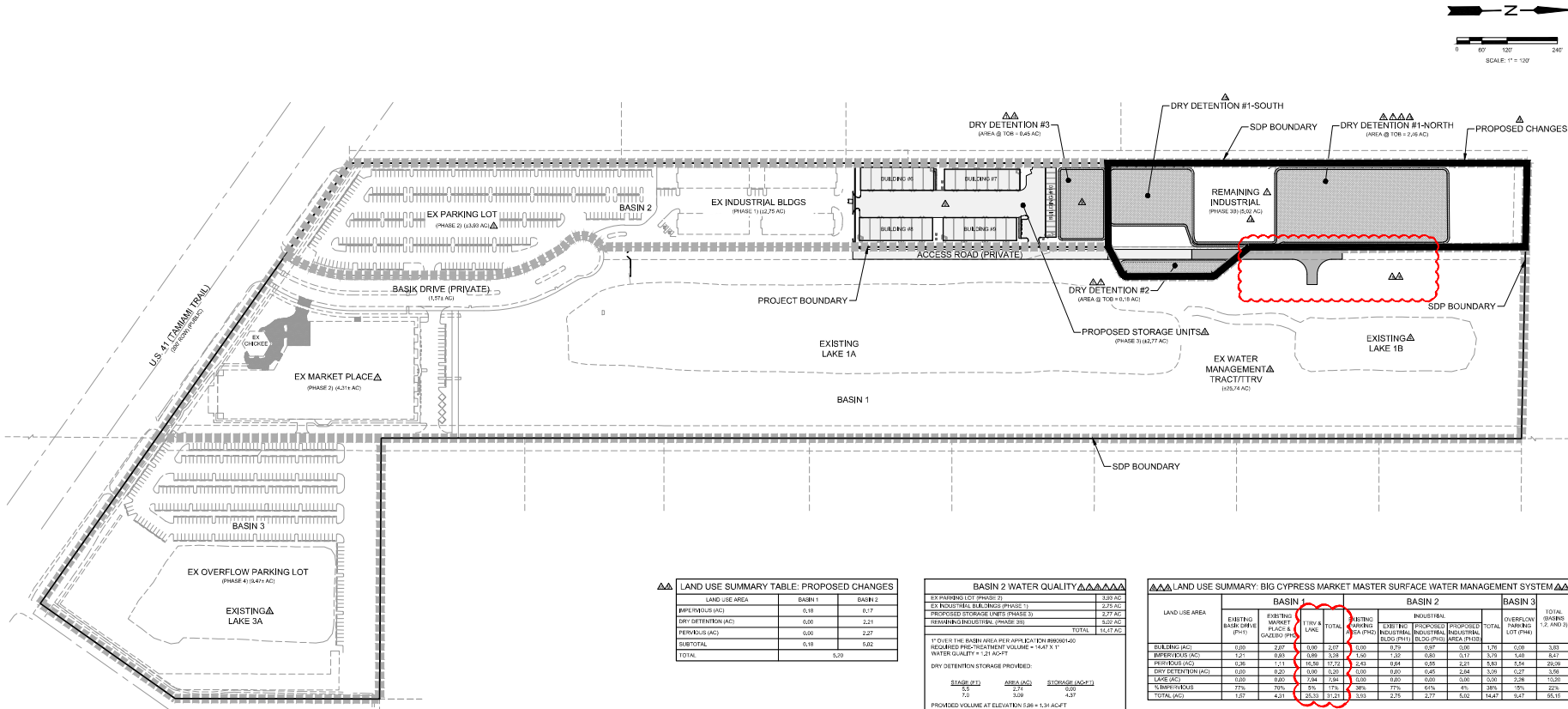
COMMERCIAL BUILDING PROPOSED PARAMETERS												
BUILDING USE	BUILDING HEIGHT	BUILDING FLOOR AREA	FLOOR 1 AREA	FLOOR 2 AREA	FLOOR 3 AREA	FLOOR 4 AREA	FLOOR AREA PER UNIT AREA	CONSTRUCTION TYPE	FIRE SUPPLY	OCCUPANCY		
EXISTING BUILDING, BUILDING #1	4	4	EXISTING	34,000 SF	27,200 SF	34,000 SF	34,000 SF	8,500 SF	I-2	YES	UNKNOWN	
PROPOSED MARKET PLACE & GASTRO, PHASE 1	2	2	UNKNOWN	89,642 SF	89,715 SF	89,642 SF	89,642 SF	2,205 SF GASTRO AND 264 SF	I-1	YES	UNKNOWN	
PROPOSED MARKET PLACE & GASTRO, PHASE 2	2	2	UNKNOWN	12,011 SF	12,011 SF	12,011 SF	12,011 SF	1,200 SF	I-1	YES	UNKNOWN	
PROPOSED MARKET PLACE & GASTRO, PHASE 3	1	1	22'-35'	11,319 SF	11,319 SF	11,319 SF	11,319 SF	1,130 SF	I-2	YES	UNKNOWN	
PROPOSED BUILDING, BUILDING #2 PHASE 1	1	1	22'-35'	12,011 SF	11,653 SF	12,011 SF	12,011 SF	1,310 SF	I-2	YES	S-2	
PROPOSED BUILDING, BUILDING #2 PHASE 2	1	1	22'-35'	12,011 SF	11,653 SF	12,011 SF	12,011 SF	1,370 SF	I-2	YES	S-2	
PROPOSED BUILDING, BUILDING #2 PHASE 3	1	1	22'-35'	12,011 SF	11,653 SF	12,011 SF	12,011 SF	1,370 SF	I-2	YES	S-2	
PROPOSED BUILDING, BUILDING #3 PHASE 1	1	1	22'-35'	12,011 SF	11,653 SF	12,011 SF	12,011 SF	1,370 SF	I-2	YES	S-2	
PROPOSED BUILDING, BUILDING #3 PHASE 2	1	1	22'-35'	12,011 SF	11,653 SF	12,011 SF	12,011 SF	1,370 SF	I-2	YES	S-2	
PROPOSED BUILDING, BUILDING #3 PHASE 3	1	1	22'-35'	12,011 SF	11,653 SF	12,011 SF	12,011 SF	1,370 SF	I-2	YES	S-2	

- 1- FLOOR AREA DEFINITION FROM THE COLLIER COUNTY LAND DEVELOPMENT CODE SECTION 1.09.2
- 2- FLOOR AREA DEFINITION FROM THE COLLIER COUNTY LAND DEVELOPMENT CODE SECTION 4.05.04.8.1
- 3- FLOOR AREA DEFINITION FROM THE FLORIDA BUILDING CODE SECTION 502
- 4- FLOOR AREA DEFINITION FROM THE COLLIER COUNTY IMPACT FEES CODE OF LAWS SECTION 74-10.6
- 5- PER ORDINANCE 07-72, BUILDING HEIGHT WILL NOT EXCEED 50 FEET PLUS 10 FEET FOR UNDER BUILDING
- 6- 3,141.6 FLOOR SPRINKLER SMALL STORAGE NOT SPRINKLED

DATUM NOTE:
ALL ELEVATIONS REFERENCE NGVD29 VERTICAL DATUM.
APPROXIMATE CONVERSION FOR PROJECT AREA: NAVD83 + 1.312' = NGVD29
ANY DATUM CONVERSIONS SHOULD BE CONFIRMED BY A LICENSED
SURVEYOR PRIOR TO USE.

BIG CYPRESS MARKET PLACE
PHASE 3

Attachment: Attachment C - APPROVED SITE - PL20210000041 - 7_ Big Cypress SDPI Phase



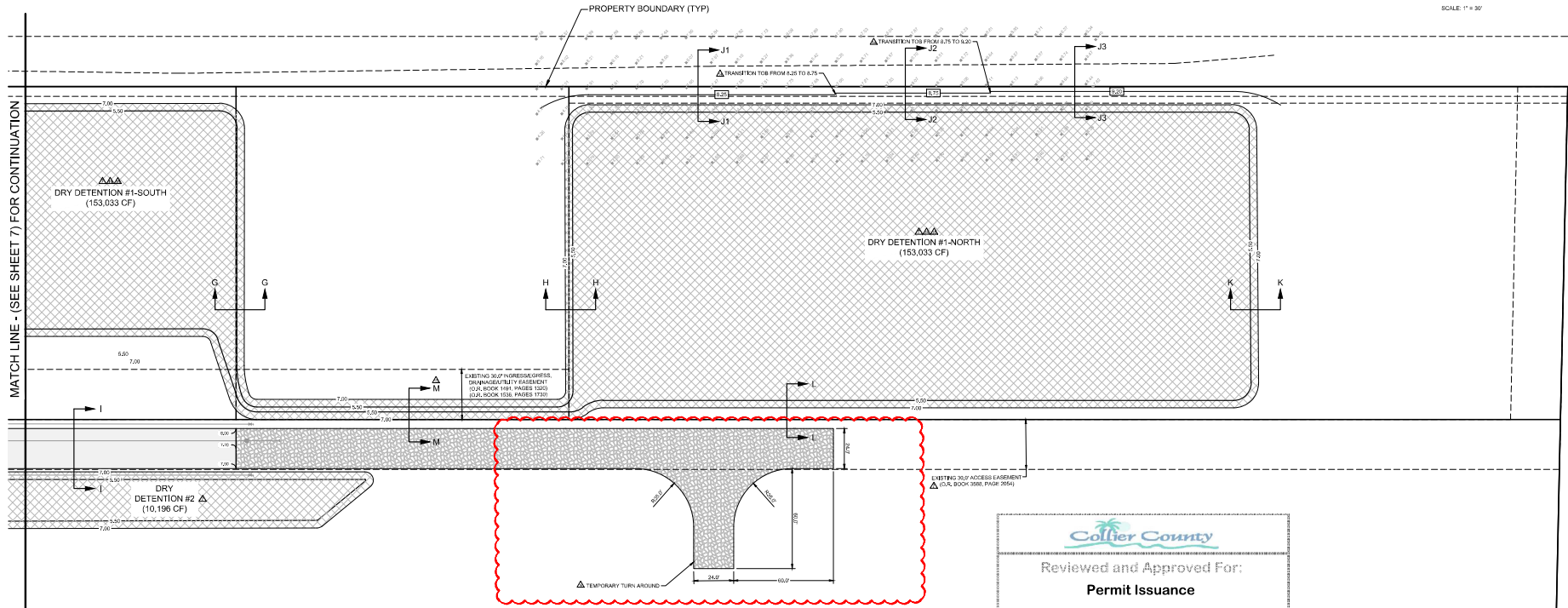
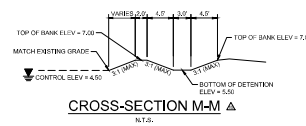
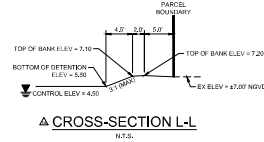
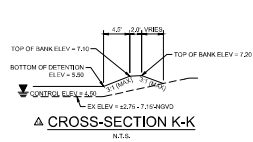
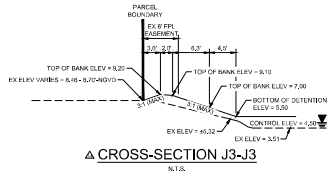
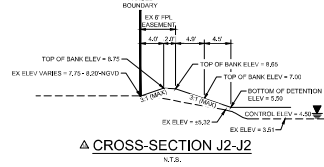
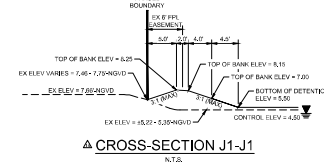
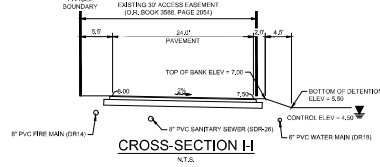
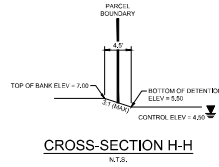
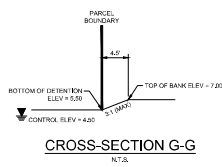


 Reviewed and Approved For:

 Permit Issuance

 PL20210000041 Date: 1/25/2021

DATUM NOTE:
ALL ELEVATIONS REFERENCE NGVD29 VERTICAL DATUM.
APPROXIMATE CONVERSION FOR PROJECT AREA: NAVD08 + 1.312' = NGVD29
ANY DATUM CONVERSIONS SHOULD BE CONFIRMED BY A LICENSED
SURVEYOR PRIOR TO USE.



DATUM NOTE:
ALL ELEVATIONS REFERENCE NAVD83 VERTICAL DATUM.
APPROXIMATE CONVERSION FOR PROJECT AREA: NAVD83 = 1.32' ± ABOVE
ANY DATUM CONVERSIONS SHOULD BE CONFIRMED BY A LICENSED
SURVEYOR PRIOR TO USE.

J.R. EVANS ENGINEERING, P.A.
9351 CORKSCREW ROAD, SUITE 102
ESTERO, FLORIDA 33928
PHONE: (239) 405-9148

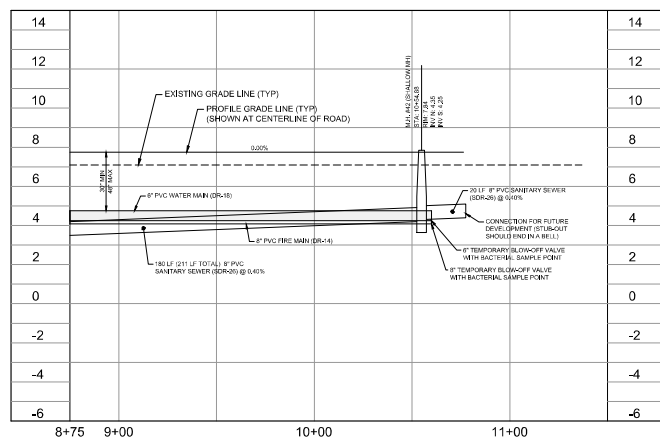
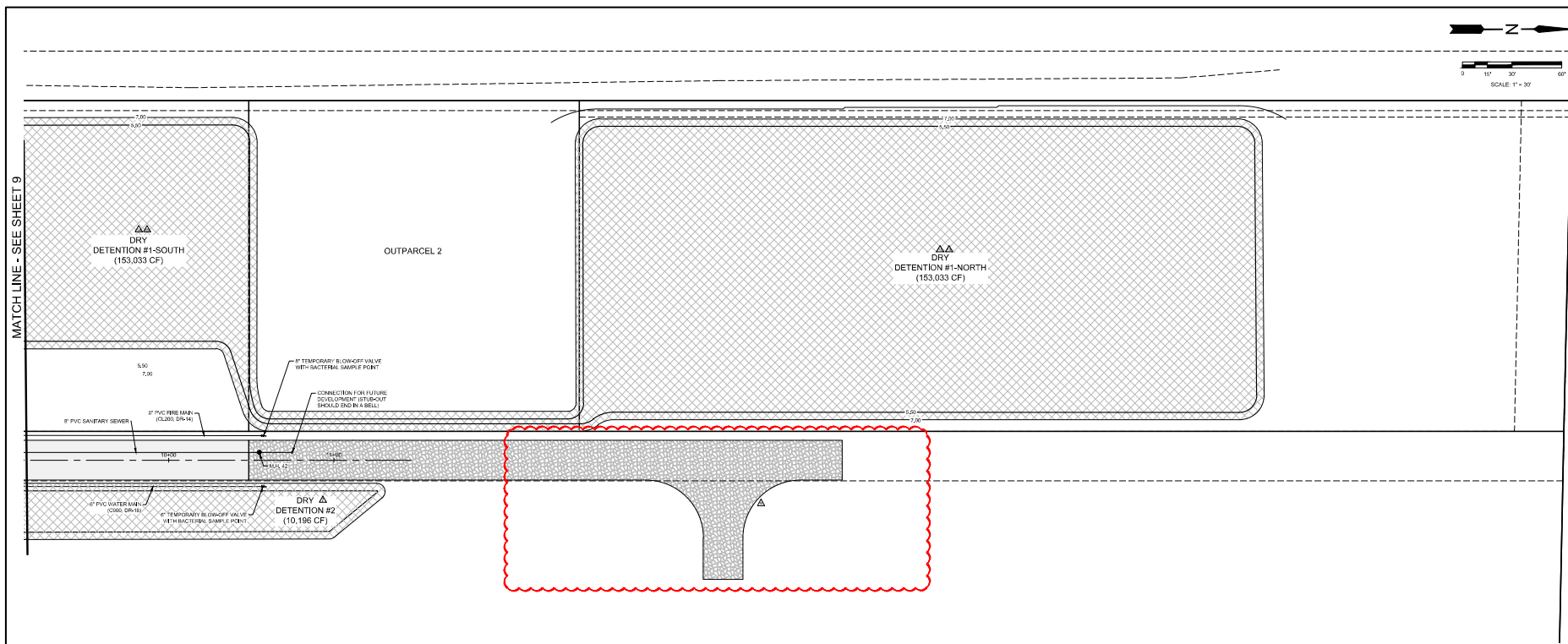
J.R. EVANS
ENGINEERING, P.A.

BIG CYPRESS MARKET PLACE
PHASE 3

DATE	REVISION	BY	CHKD
1/25/2021	REVISED PER CIVIL AND ELECTRICAL COMMENTS	CHRISTOPHER S. J.	PL2021000041
1/25/2021	REVISED PER CIVIL AND ELECTRICAL COMMENTS	CHRISTOPHER S. J.	PL2021000041

CHRISTOPHER S. J.
P.L. LICENSE NO. 96
P.L. C.O.# 10000
PROJECT #
SHEET:

Attachment: Attachment C - APPROVED SITE - PL20210000041 - 7 Big Cypress SDPI Phase



Collier County
Reviewed and Approved For:
Permit Issuance
PL20210000041 Date: 1/25/2021

DATUM NOTE:
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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

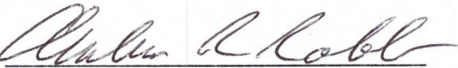
Emergency/Executive Order 2020-04
Hearing of the Collier County Hearing Examiner

For Petition Number(s): PL20200001823

Regarding the above subject petition number(s), C & S Land Holdings II, LLC (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: CHARLOS R. ROBB

Date: 7-7-2021

Signature: 

☒ Applicant*

☐ Legal Counsel to Applicant

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

Attachment: Attachment D - HEX Hearing Waiver (17592 : PL20200001823 CU South Florida Gas)

08/12/2021

COLLIER COUNTY
Collier County Hearing Examiner

Item Number: 3.C

Item Summary: PETITION NO. VA-PL20190001140, Charleston Square Condominium - Request for a variance from Section 5.03.02.C.2.a of the Land Development Code to increase the maximum rear yard wall height on a residential Planned Unit Development lot greater than 1 acre from 6 feet to ±18.33 feet, to allow for a 10-foot wall to replace an 8-foot wall destroyed by Hurricane Irma that was constructed on an 8.33-foot berm along the northern property line of Parcel "A", Charleston Square, located to the north of the Imperial Golf Course Boulevard and Charleston Square Drive intersection, within the ±98-acre Imperial West Planned Unit Development, in Section 15, Township 48 South, Range 25 East, Collier County, Florida. [Coordinator: John Kelly, Senior Planner] Commission District 2

Meeting Date: 08/12/2021

Prepared by:

Title: Planner – Zoning

Name: John Kelly

07/26/2021 6:39 PM

Submitted by:

Title: – Zoning

Name: Mike Bosi

07/26/2021 6:39 PM

Approved By:

Review:

Growth Management Operations & Regulatory Management	Kenneth Kovensky	Review Item	Completed
Hearing Examiner (GMD Approvers)	Diane Lynch	Review Item	Completed 07/27/2021 12:40 PM
Zoning	Ray Bellows	Review Item	Completed 07/28/2021 5:46 PM
Zoning	Mike Bosi	Zoning Director Review	Completed 07/29/2021 2:33 PM
Hearing Examiner	Andrew Dickman	Meeting Pending	08/12/2021 9:00 AM



STAFF REPORT

TO: COLLIER COUNTY HEARING EXAMINER

FROM: GROWTH MANAGEMENT DEPARTMENT
ZONING DIVISION- ZONING SERVICES SECTION

HEARING DATE: AUGUST 12, 2021

SUBJECT: PETITION VA-PL20190001140 CHARLESTON SQUARE WALL HEIGHT

PROPERTY OWNERS/AGENT:

Owner/Applicant:

Charleston Square Homeowner's Association
1349 Charleston Square Dr.
Naples, FL 34110

Agent:

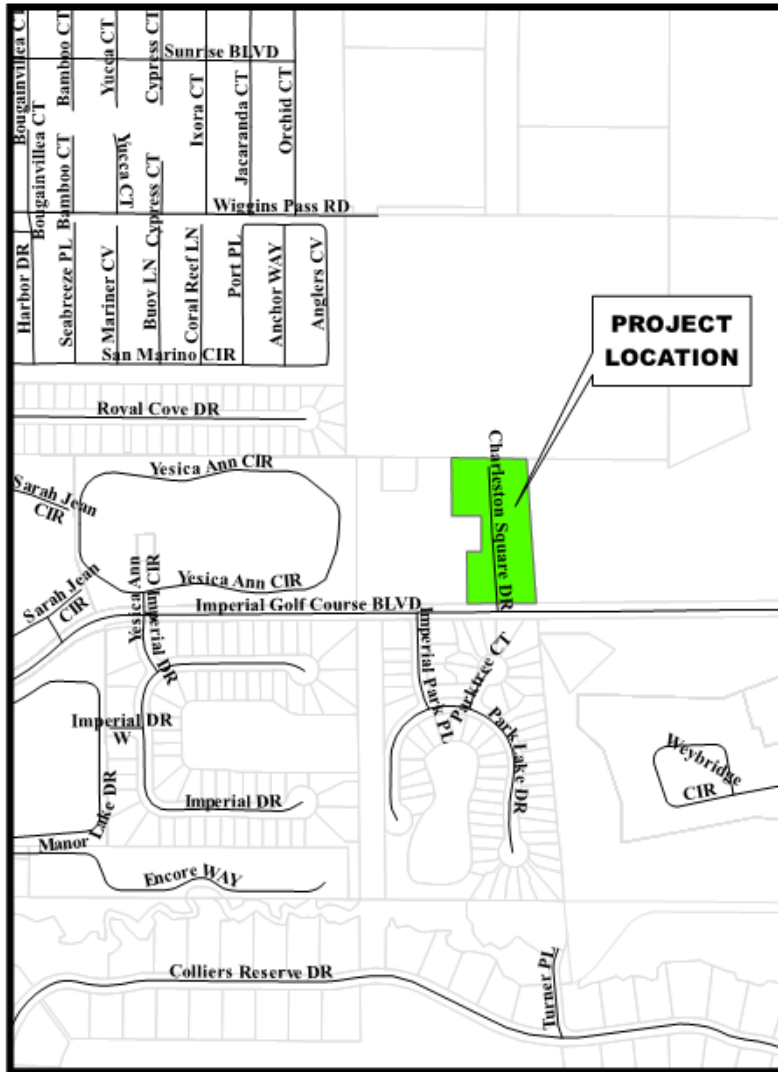
Tom Barber, AICP
Agnoli, Barber & Brundage, Inc.
7400 Trail Blvd., Suite 200
Naples, FL 34108

REQUESTED ACTION:

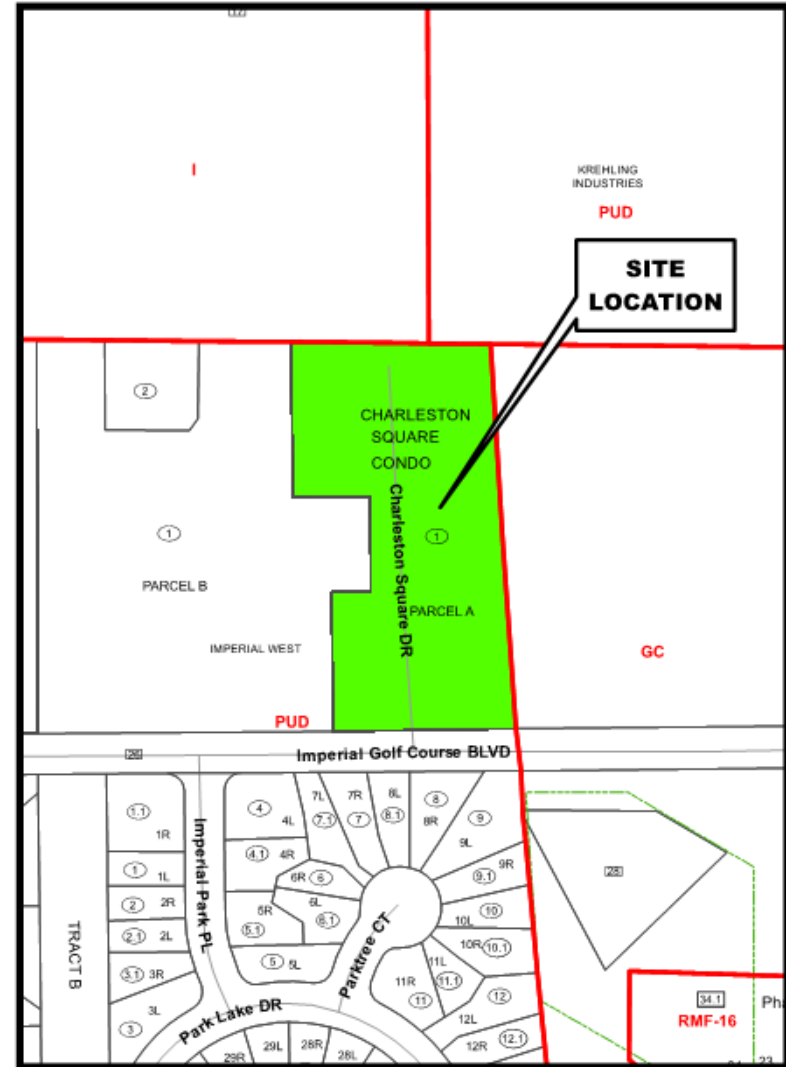
To have the Collier County Hearing Examiner (HEX) consider an application for a variance from Section 5.03.02.C.2.a of the Land Development Code (LDC) to increase the maximum rear yard wall height on a residential Planned Unit Development (PUD) lot greater than one acre from 6 feet to 18.33± feet, to allow a 10-foot wall to replace an 8-foot wall destroyed by Hurricane Irma that was constructed on an 8.33-foot berm along the north property line of Parcel "A", Charleston Square.

GEOGRAPHIC LOCATION:

The subject property is located on the north side of Imperial Golf Course Boulevard at the north end of Charleston Square Drive, within the 98± acre Imperial West PUD, in Section 15, Township 48 South, Range 25 East, Collier County, Florida. *(See location map on page 2).*

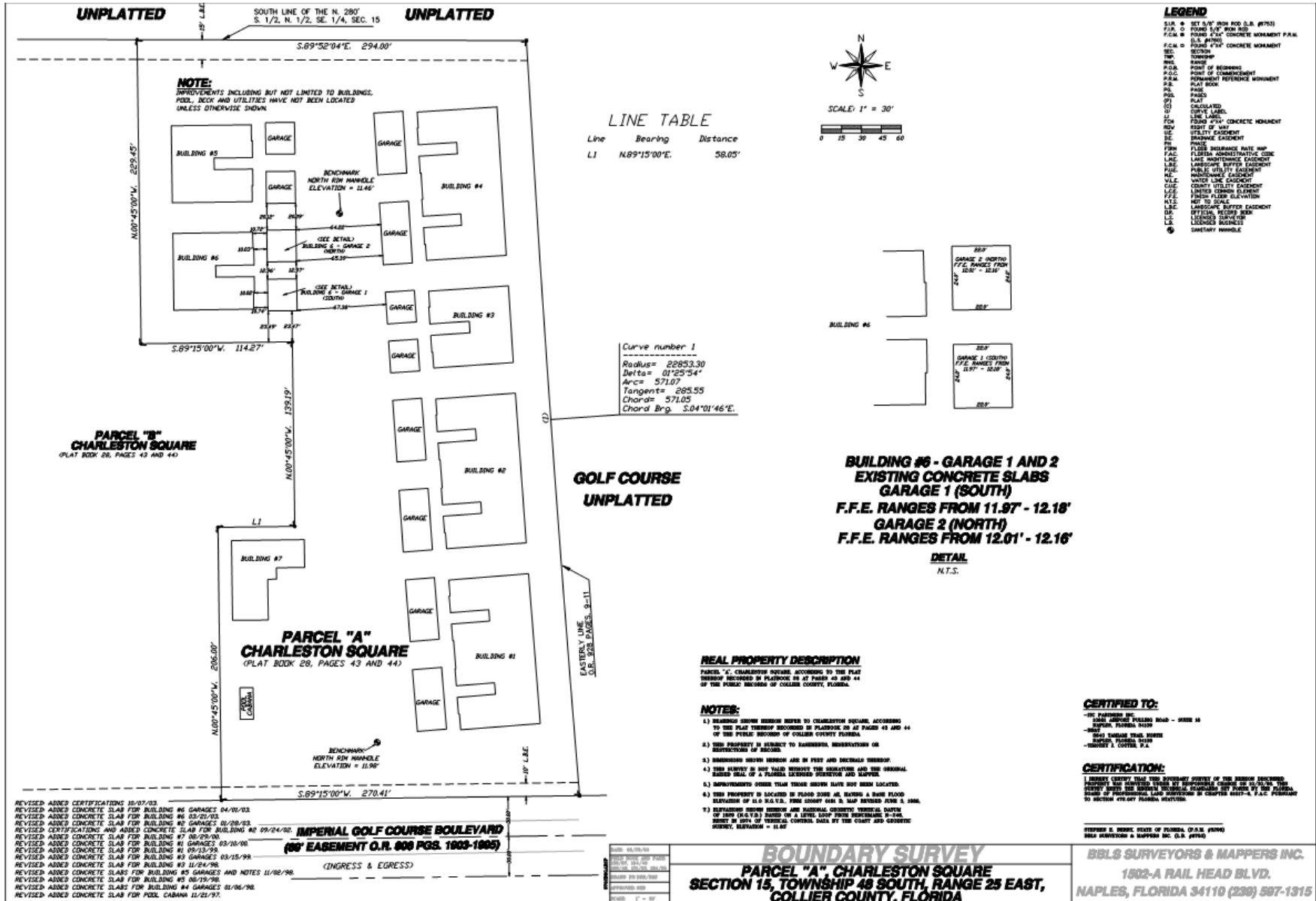


Location Map



Zoning Map

Petition Number: PL20190001140



PURPOSE/DESCRIPTION OF PROJECT:

Section 5.03.02.C.2.a of the LDC limits fences in rear yards of properties of 1-acre or more within residential components of PUDs to 6 feet in height. Additionally, LDC Section 5.03.02.F.1.b states that the height of a fence or wall shall be measured from the ground level at the fence or wall location. The applicant desires a 10-foot wall to mitigate the impact of noise and dust from a Cemex concrete batch plant that exists on the adjoining property to the north and operates 24 hours a day. Cemex has provided a letter of no objection for a wall of up to 12 feet in height.

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: A concrete batch plant located within both an Industrial (I) zoning district and the Krehling Industries PUD

East: Recreational tract of the Imperial West PUD

South: Imperial Golf Course Boulevard (Right-of-Way) followed by residential component of the Imperial West PUD

West: Golf Course within a Golf Course (GC) zoning district.



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.

STAFF ANALYSIS:

The subject Variance is requested to replace a previously permitted 8-foot concrete wall that was constructed upon a berm as depicted within an approved landscape plan that was approved as part of SDP-96-130, as amended; see Attachment B. Zoning staff was unable to locate a building permit or prior variance having been approved for the wall which was subsequently destroyed by Hurricane Irma. The applicant desires to replace said wall with one that is two feet higher, upon an existing berm of 8.33± feet high extending the length of the north property line, in accordance with the approved SDP landscape plan. As the LDC states that fences and walls are to be measured from ground level the berm has been added to the overall fence height resulting in a n overall wall height of 18.33 feet; the length of the wall is 292± feet.

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

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

Yes, there is an existing berm along the north property line that must be accounted for when measuring wall height. Additionally, this residential development abuts a concrete plant (an industrial use) to the north which creates noise and dust that can be reduced by a wall.

- 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 existing wall was destroyed by Hurricane Irma. The neighboring industrial use is also a special condition and circumstance beyond the control of the applicant; said concrete plant operates 24 hours a day.

- 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?**

No; however, it is the intent of the proposed wall to mitigate the impact to residents of the adjacent concrete batch plant.

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

Yes, the Variance proposed would be the minimum Variance to allow the increase in wall height from eight feet to ten feet, exclusive of the existing berm. Approval of the Variance will mitigate the impacts of the adjoining industrial use thereby enhancing standards of health, safety, and welfare by decreasing dust and noise levels.

- 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?**

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

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

Yes, approval of the Variance will not be injurious to the neighborhood or detrimental to the public welfare. Approval of the variance will result in improving the privacy and security of abutting properties, improves noise abatement, and protects neighborhoods with enhancing community character.

- 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, there is an existing berm along the north property line; however, said berm is not of sufficient elevation in and of itself to mitigate the noise and dust from the neighboring industrial use.

- h. **Will granting the Variance be consistent with the GMP?**

Yes, approval of this Variance will not affect or change the requirements of the GMP.

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 (HEX) approve Petition VA-PL20190001140 to allow for the replacement of an 8-foot wall with a 10-foot concrete wall to be placed upon an existing 8.33-foot berm for an overall wall height of 18.33 feet as measured from grade in accord with the most current approved SDP and as depicted within Attachment A,.

Attachments:

- A) Supplemental Exhibits, revised 10-9-18
- B) Applicant's Backup Package
- C) HEX Hybrid Meeting Waiver

CONSTRUCTION PLANS & SPECIFICATIONS FOR PERMACAST PRECAST CONCRETE FENCE

GENERAL NOTES:

CODES AND STANDARDS

- STRUCTURAL DESIGN BASED ON THE 6TH EDITION OF THE 2017 FLORIDA BUILDING CODE.

DESIGN

- WIND SPEED = 150 (3 SEC GUST)
- 116 (NOMINAL)
- EXPOSURE - C
- $K_d = 0.85$
- CONSTRUCTION TYPE - I OR II (NONCOMBUSTIBLE MATERIALS)
- RISK CATEGORY 1

SOIL

- ALLOWABLE BEARING CAPACITY = 2,000 PSF
- ALLOWABLE LATERAL SOIL CAPACITY = 150 PSF
- MINIMUM N VALUE OF 7

CONCRETE STRENGTH

- MINIMUM 28 DAY COMPRESSIVE STRENGTH OF PRECAST ELEMENTS $F'_c=5000$ PSI
- MINIMUM 28 DAY COMPRESSIVE STRENGTH OF CAST IN PLACE CONCRETE $F'_c=3000$ PSI

MATERIALS:

- CEMENT PER ASTM C-150 TYPE 1

AGGREGATES FOR CONCRETE:

- NORMAL WEIGHT AGGREGATE: FINE AND COARSE AGGREGATE PROVISIONS AND TEST METHODS SHALL MEET ASTM C33. MAXIMUM AGGREGATE SIZE OF 3/4".

ADMIXTURES:

- NO ADMIXTURES SHALL CAUSE AN INCREASE IN SHRINKAGE WHEN TESTED IN ACCORDANCE WITH ASTM C494 AND C157

DELIVERY OF CONCRETE:

- DISCHARGE OF THE CONCRETE SHALL BE COMPLETED WITHIN 1-1/2 HOURS AFTER THE INTRODUCTION OF THE MIXING WATER TO THE CEMENT AND AGGREGATES OR THE INTRODUCTION OF THE CEMENT TO THE AGGREGATES.
- WATER SHALL NOT BE ADDED IN THE FIELD UNLESS APPROVED BY THE ENGINEER.

UTILITIES

- IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO LOCATE ALL OVERHEAD AND UNDERGROUND UTILITIES PRIOR TO CONSTRUCTING THE FENCE AND/OR FOUNDATIONS. CONTRACTOR SHALL NOTIFY LOCATION OF ALL UTILITIES TO BOTH THE OWNER AND SITE ENGINEER PRIOR TO CONSTRUCTING FENCE AND / OR FOUNDATIONS.

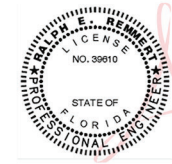
This item has been Electronically Signed and Sealed by Ralph Remmert, Florida P.E. #39610 using a SHA-1 Authentication Code. Printed Copies of the Document are not considered Signed and Sealed and the SHA-1 Authentication Code must be verified on any electronic copies.



JANUARY 16, 2019

FEBRUARY 28, 2020 Revision 2

JULY 22, 2020 Revision 3



Ralph
Remmert
2020.07.22
08:17:05
-04'00'

PROJECT:

IMPERIAL COUNTRY CLUB / CHARLESTON SQUARE
1349 CHARLESTON SQUARE DR.
NAPLES, FL 34110

WALL TYPE:

10 FT. PERMACAST STONE STANDARD 2.0 WALL
(6 FT OVER 4 FT)

WIND DESIGN: 150 MPH (3 SEC GUST)
116 MPH (NOMINAL)

EXPOSURE: C

CONTRACTOR TO REFER TO CIVIL DRAWINGS FOR WALL LAYOUT.

Prepared By

JBM&R Engineering, Inc.

C.A.N. 7457

P.O. BOX 1566 VALRICO, FL 33595

TEL: 813.598.4643 813.741.2109 813.655.0061 (FAX)

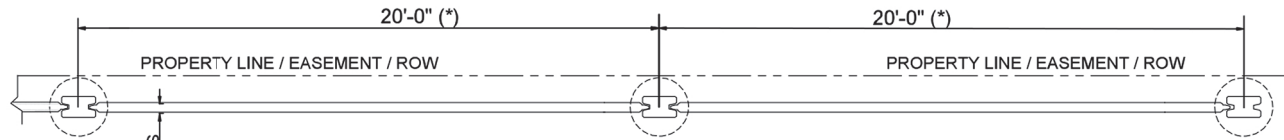
Ralph Remmert, P.E.

Florida Registration No. 39610

DRAWING INDEX

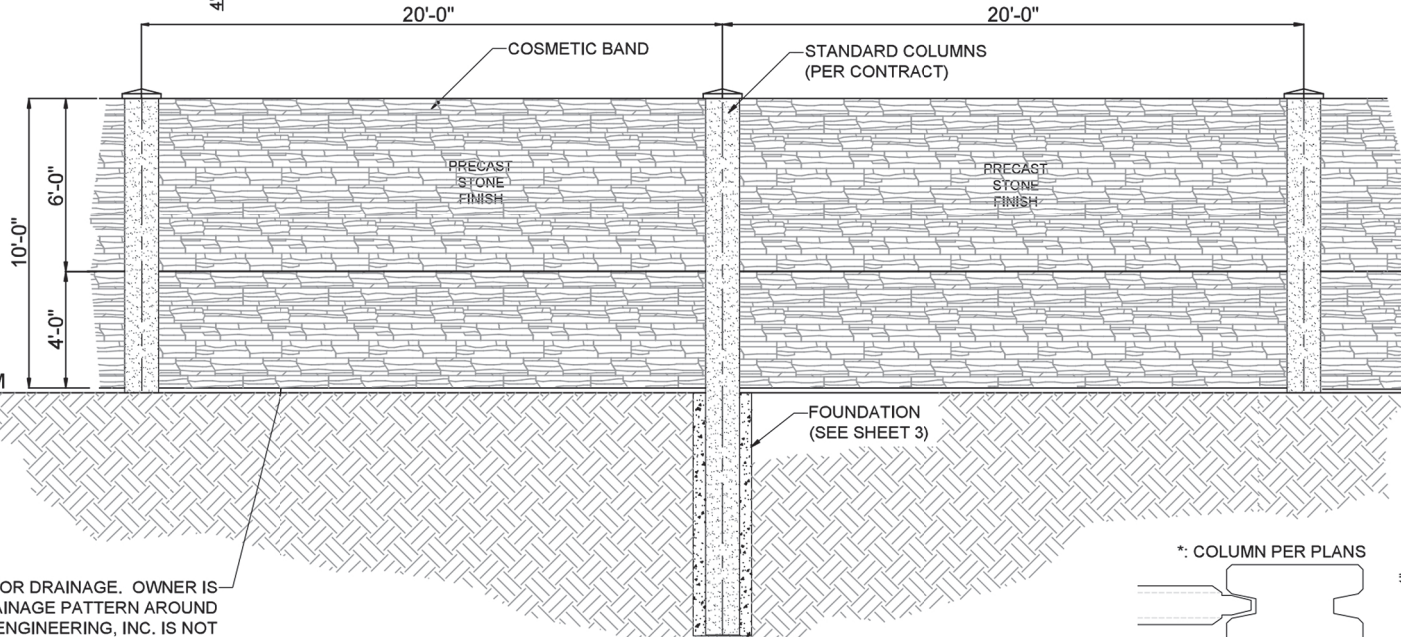
DWG. NO.	TITLE
SHEET 1	COVER SHEET & GENERAL NOTES
SHEET 2	10'-0" X 2.0 PERMAWALL DIMENSIONS
SHEET 3	FOUNDATION, PANEL, & COLUMN DETAILS

(*) : 20'-0" - Contact Manufacturer for Exact Center to Center Distance

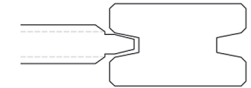


WALL PLAN VIEW - GENERAL DIMENSIONS

SCALE: $\frac{3}{4}$ " = 1'0"



*: COLUMN PER PLANS



TYPICAL PANEL / POST CONNECTION

SCALE: NTS

This item has been Electronically Signed and Sealed by Ralph Remmert, Florida P.E. #39610 using a SHA-1 Authentication Code. Printed Copies of the Document are not considered Signed and Sealed and the SHA-1 Authentication Code must be verified on any electronic copies.

TYPICAL 10 FT. X 20 FT. WALL ELEVATION - GENERAL DIMENSIONS

SCALE: NTS

REVISIONS 3 7-22-20 MISC CHANGES RER RER RER 2 2-28-20 REVISED TO 10 FT X 2.0 STONE WALL RER RER RER 1 12-2-19 ADDED 8 FT X 1.0 STONE WALL RER RER RER 0000 ISSUED FOR CONSTRUCTION RR RR				PERMACAST PRECAST CONCRETE FENCE IMPERIAL COUNTRY CLUB / CHARLESTON SQUARE 1349 CHARLESTON SQUARE DR. NAPLES, FL 34110 8 FT GENERAL WALL DIMENSIONS				JBM & R ENGINEERING, INC. Ralph E. Remmert, P.E. P.E. #39610 C.A.N. #7457			
NO. DATE REVISION BY CK APP 3 7-22-20 MISC CHANGES RER RER RER 2 2-28-20 REVISED TO 10 FT X 2.0 STONE WALL RER RER RER 1 12-2-19 ADDED 8 FT X 1.0 STONE WALL RER RER RER 0000 ISSUED FOR CONSTRUCTION RR RR				PO Box 1599 Venice, FL 33596 Tel: 813.592.4843 (C) 813.741.2109 (O) 813.855.0081 (FAX) 0 SHEET 2 0							



HEARING PACKAGE CHECKLIST

A. Backup provided by the County Planner

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

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

B. Backup provided by Applicant:

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

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

☒ Boundary Survey

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

☐ Submerged Resource Surveys may be included here if required.

☒ ~~flash drive with~~ only one pdf file for all documents *VIA EMAIL or DROPOBOX*

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



Signature of Agent Representative

07/04/21

Date

Tom Barber

Printed Name of Signing Agent Representative



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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): Charleston Square Homeowner's Association

Name of Applicant if different than owner: Trevor Calhoun, Unit Owner & Board President

Address: 1349 Charleston Square Dr. City: Naples State: FL ZIP: 34110

Telephone: 239-451-9394 Cell: _____ Fax: _____

E-Mail Address: whitehawk959@gmail.com

Name of Agent: Tom Barber, AICP

Firm: Agnoli, Barber & Brundage, Inc.

Address: 7400 Trail Blvd, Suite 200 City: Naples State: FL ZIP: 34108

Telephone: 239-597-3111 Cell: _____ Fax: _____

E-Mail Address: tom.barber@abbinc.com

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

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

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

Subdivision: Charleston Square Condominium **Unit:** **Lot:** **Block:**

Metes & Bounds Description: _____ Total Acreage: _____

1349 Charleston Square Drive, Naples, FL 34110 SDP 96-130

	Zoning	Land Use
N	I	47- Mineral Processing, Phosphate Processing
S	PUD	403-Homeowners
E	GC	38-Golf Courses, Driving Ranges
W	PUD	35-Tourist Attractions

Minimum Yard Requirements for Subject Property:

Front: 25 Corner Lot: Yes ☐ No ☒

Side: 7.5' Waterfront Lot: Yes ☐ No ☒

Rear: 20'

Attachment: Attachment B - Hearing Package Completed 7.22.21 (17591 : PL20190001140 VA Charleston Square Condominiums Wall - Imperial



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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: _____

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: _____

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.

N/A



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- 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.



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**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.



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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

Trevor Calhoun
Applicant Signature
Trevor Calhoun
Printed Name

2-26-21

Date

Nature of Petition

RESPONSES IN BOLD CAPS

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.
 - a. **REPLACE 8' HIGH FENCE DAMAGED BY HURRICANE IRMA WITH A 12' HIGH FENCE ON AN EXISTING TYPE B BUFFER.**
2. For projects authorized under LDC Section 9.04.02, provide a detailed description of site alterations, including any dredging and filling.
 - a. **NO DREDGING OR FILLING REQUIRED**
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?
 - i. **CHARLESTON SQUARE IS ADJACENT TO A WORKING CONCRETE PLANT OPERATING 24 HOURS A DAY EXCEPT SUNDAY.**
 - 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.
 - i. **YES – CHARLESTON SQUARE WAS BUILT ADJACENT TO CONCRETE PLANT**
 - 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?
 - i. **NO – THIS VARIANCE WILL ASSIST IN MITIGATING THE IMPACT TO RESIDENTS OF THE ADJACENT COMMERCIAL USE PROPERTY**
 - 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.

- i. **YES – THE ADDITIONAL HEIGHT OF THE FENCE WILL MINIMIZE THE IMPACT OF THE DUST AND NOISE COMING FROM THE ACTIVE CONCRETE PLANT.**
- 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.
 - i. **NO – THE ISSUE ONLY EXISTS AT THIS LOCATION.**
- 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.
 - i. **YES – MINIMIZING NOISE AND DUST WILL PROVIDE HARMONY TO ALL PROPERTY OWNERS INVOLVED. NO – THE ADDITIONAL HEIGHT OF FENCING WILL NOT BE DETRIMENTAL TO THE NEIGHBORHOOD OR 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.
 - i. **YES – THERE IS A BERM, BUT IT IS NOT HIGH ENOUGH.**
- h. Will granting the variance be consistent with the Growth Management Plan?
 - i. **YES**
- 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?
 - a. **NO**



5

PROPERTY OWNERSHIP DISCLOSURE



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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
Charleston Square Condominium Association of Naples, Inc.	37 Units
Detali & Associates - 27499 Riverview Center Blvd., #208, Bonita Springs, FL 34134	37 Shares
Trevor Calhoun, President	
Russ Finkle, Vice President	
Rob Brouwer, Secretary / Treasurer	

- 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



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

Name and Address	% of Ownership

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

Name and Address	% of Ownership

Date of Contract: _____

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

Name and Address

- g. Date subject property acquired _____

☐ Leased: Term of lease _____ years /months

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



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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

7/23/2019

Date

Vicki Richards

Agent/Owner Name (please print)

AFFIDAVIT OF AUTHORIZATION

FOR PETITION NUMBERS(S) PL20190001140

I, Trevor Calhoun (print name), as President (title, if applicable) of Charleston Square Condominium Association of Naples FL (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 Thomas D. Barber of Agnoli, Barber & Brundage, Inc. to act as our/my representative in any matters regarding this petition including 1 through 2 above.

***Notes:**

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

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

Trevor Calhoun President
Signature

2-5-2021

Date

STATE OF FLORIDA
COUNTY OF COLLIER

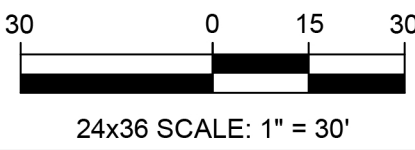
The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this _____ day of February, 2021, by (printed name of owner or qualifier) _____.

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

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

Notary Signature: Latrece Delise Weir

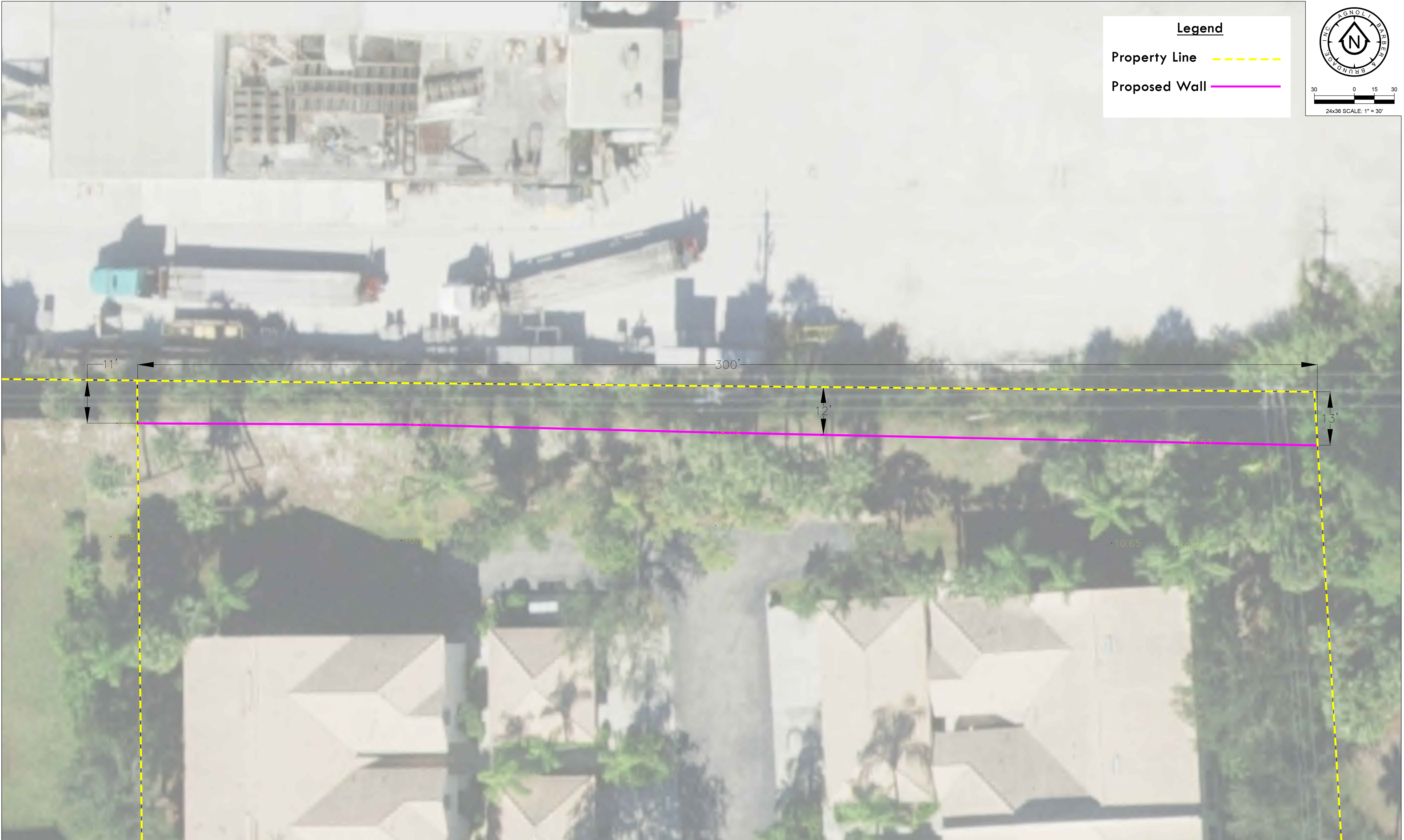




Legend

Property Line - - - - -

Proposed Wall —————



Charleston Square Proposed Wall Location Map

Exhibit: A

AFFIDAVIT OF COMPLIANCE

I hereby certify that pursuant to Ordinance 2004-72, of the Collier County Land Development Code, I did give notice by mail at least 30 days after receipt of letter indicating that the application is sufficient to the following property owners and or condominium and civic associations whose members may be impacted by the proposed land use changes of an application request for a variance or parking exemption. *For the purposes of this requirement, the names and addresses of property owners shall be deemed those appearing on the latest tax rolls of Collier County and any other persons or entities who have made a formal request of the county to be notified.* The said notice contained the laymen's description of the site property of proposed change.

Per attached letters and or property owner's list, which are hereby made a part of this Affidavit of Compliance.

(Signature of Applicant)

State of Florida
County of Collier

The foregoing Affidavit of compliance was acknowledged before me this 27th day of May, 2021 by THOMAS D. BARBER, who is personally known to me or who has produced by means of physical presence as identification.

(Signature of Notary Public)

Fariha A. Singh

Printed Name of Notary



FARIHA A. SINGH
Commission # HH 050727
Expires October 5, 2024
Bonded Thru Budget Notary Services

(Notary Seal)



7400 Trail Blvd., Suite 200
Naples, FL 34108
PH: (239) 597-3111
www.ABBINC.com

June 9th, 2021

**Re: Charleston Square Wall
Variance Petition - PL20190001140**

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:

Along the northern property line of Parcel "A", Charleston Square, located to the north of the Imperial Golf Course Boulevard and Charleston Square Drive intersection, within the ±98-acre Imperial West Planned Unit Development, in Section 15, Township 48 South, Range 25 East, Collier County, Florida. [PL20190001140]

It is our intent to ask the County to allow us to request a variance from Section 5.03.02.C.2.a of the Land Development Code to increase the maximum rear yard wall height on the Charleston Square Residential Planned Unit Development **from 6 feet to ±18.33 feet**. This will allow for a 10-foot wall to replace an 8-foot wall destroyed by Hurricane Irma that was constructed on an 8.25-foot berm on the aforementioned property. You are encouraged to contact the sender of this letter in the event you would like additional explanation or 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,

If you have any questions, you may reach me by telephone or email (tom.barber@abbinc.com)

Sincerely,
AGNOLI, BARBER & BRUNDAGE, INC

Tom Barber

Thomas D. Barber, AICP
Project Manager
(239) 597-3111

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: PL20190001140 | Buffer: 150' | Date: 5/28/2021 | Site Location: 25970020085

NAME1	NAME2	NAME3	NAME4	NAME5	NAME6	FOLIO	ADDRESSTYPE
ADAMEC TENANCY BY	ENTIRETIES TRUST	1340 CHARLESTON SQ DR			NAPLES, FL 34110---0	25970020441 U	
ANDERSON, KRISTEN LYNN	1310 CHARLESTON SQ DR #1204				NAPLES, FL 34110---0	25970020166 U	
ARDO LLC	1340 CHARLESTON SQUARE DRIVE	SUITE 4 203			NAPLES, FL 34110---0	25970020548 U	
CALHOUN, TREVOR A & SHERYL L	1310 CHARLESTON SQ DR #104				NAPLES, FL 34110---0	25970020085 U	
CALHOUN, TREVOR ALLEN	SHERYL LYNN CALHOUN	1310 CHARLESTON SQUARE DRIVE			NAPLES, FL 34110---0	25970020425 U	
CARLSON, WILLIAM ROB	ALEXANDRA S CARLSON	1320 CHARLESTON SQ DR 202			NAPLES, FL 34110---0	25970020289 U	
CARR, PRESCOTT T & KELLY R	1325 CHARLESTON SQ DR #7				NAPLES, FL 34110---0	25970020742 U	
CATALANO, RAYMOND	LAUREEN CERNILLI	4 EVERGREEN DR			MANORVILLE, NY 11949---3219	25970020124 U	
CEMEX CONSTRCTN MATL FL LLC	ATTN: SHARED SERVICES-AFS	1501 BELVEDERE RD			WEST PALM BCH, FL 33406---1501	00153280007 U	
CHRISTIANE MARIE WATTS TRUST	13019 PARKTREE CT				NAPLES, FL 34110---0	51565000659 U	
CIERI, ALBERTO	MILENA DIRADDO	1330 CHARLESTON SQUARE DR #101			NAPLES, FL 34110---0	25970020344 U	
DALEY, MARY ANNE & JOHN	214 MILL RD				ORELAND, PA 19075---0	25970020043 U	
DIMAS USA LLC	PO BOX 111333				NAPLES, FL 34108---0	25970020645 U	
DONAHUE, PETER D & MARGARET M	12 SABRINA DR				ARDEN, NC 28704---0	25970020467 U	
DONALD & JOY JACOBSON TRUST	1335 CHARLESTON SQ DR 102				NAPLES, FL 34110---9139	25970020687 U	
EDWARDS, JILL K	1902 BARNETT DR				CEDAR PARK, TX 78613---0	25970020027 U	
ESCOTT, CHARLENE K	1335 CHARLESTON SQ DR #202				NAPLES, FL 34110---0	25970020726 U	
ETC CUSTODIAN	RICHARD T FAILLA IRA	2067 IMPERIAL CIR			NAPLES, FL 34110---0	51565000578 U	
FOIANINI, ANDRES	1345 CHARLESTON SQ DR 201				NAPLES, FL 34110---9141	25970020629 U	
FORMARO, LEONARD M	1310 CHARLESTON SQ DR #203				NAPLES, FL 34110---0	25970020140 U	
GREATER IMPERIAL BOARD INC	897 IMPERIAL GOLF COURSE BLVD				NAPLES, FL 34110---0	00154200002 U	
HEIDENGA, LYNNE V	13600 CANYONWOOD CLOSE				DEWITT, MI 48820---0	25970020522 U	
HINRICH, ROBERT MARK	KELLY JO HINRICH	1919 SOUTH 40TH		SUITE 103	LINCOLN, NE 68506---0	25970020069 U	
IMPERIAL GOLF CLUB INC	1808 IMPERIAL GOLF CRS BLVD				NAPLES, FL 34110---0	00153240005 U	
IMPERIAL GOLF CLUB INC	1808 IMPERIAL GOLF CRS BLVD				NAPLES, FL 34110---0	00154280006 U	
IMPERIAL GOLF ESTATES HOA INC	% SANDCASTLE COMMUNITY MGMT	9150 GALLERIA CT #201			NAPLES, FL 34110---0	25970000856 U	
IMPERIAL PARK PL VILLAS ASSOC	% NEWELL PROP MGT	5435 JAEGER RD STE 4			NAPLES, FL 34109---5802	51565000154 U	
KEIR, MARY SUSAN	ROBERT K GUILLORY JR	1320 CHARLESTON SQ DR #103			NAPLES, FL 34110---0	25970020221 U	
KOSTECKI, STANLEY V & LUCY M	16150 SUFFOLK DR				SPRING LAKE, MI 49456---1432	51565000604 U	
LORD, DAVID ERIC MONTFIORE	TAMALA MICHELE LORD	2504 PIPER WAY			PARK CITY, UT 84060---0	25970020661 U	
MANZOLILLO REALTY TRUST II	10 EVERGREEN CIR				NORWOOD, MA 02062---3166	51565000400 U	
MATLACK, JANET R	1345 CHARLESTON SQUARE DR	#5-101			NAPLES, FL 34110---0	25970020580 U	
MESSANA, JEANINE MARIE	1340 CHARLESTON SQ DR #201				NAPLES, FL 34110---0	25970020506 U	
MICHAEL MCCONNELL TRUST EST	1951 IMPERIAL GOLF COURSE BLVD				NAPLES, FL 34110---8139	25970020247 U	
MINUTOLO, RAYMOND A & ANDREA	13012 PARKTREE CT				NAPLES, FL 34110---0	51565000552 U	
MUMA, CHASE R	ELIZABETH E BADAMI	1320 CHARLESTON SQ DR #102			NAPLES, FL 34110---0	25970020205 U	
OWENBY JOIN REVOCABLE TRUST	13018 PARKTREE CT				NAPLES, FL 34110---0	51565000620 U	
PASTOR, THOMAS E	BIRTHE LISE ROBSON	1330 CHARLESTON SQ DR #102			NAPLES, FL 34110---0	25970020360 U	
POPOVIC, BRANISLAVA	1330 CHARLESTON SQUARE DR #201				NAPLES, FL 34110---0	25970020386 U	
RCE TENNIS ENTERPRISES LLC	ROBERT L HINRICH REV TRUST	1301 IMPERIAL GOLF COURSE BLVD			NAPLES, FL 34110---1072	25970000801 U	
RICHARDS, VICKI	CHARLES RICHARDS	1340 CHARLESTON SQ DR 204			NAPLES, FL 34110---9140	25970020564 U	
SHAW, FAZAL A	RANGSOOK YOON	5684 RON ROAD			ST CLOUD, FL 34771---0	25970020603 U	
SILVA, BETSY	JOHN HERNANDEZ	539 BEACHWALK CIR			NAPLES, FL 34108---0	25970020302 U	
SMITH, JENNIFER J	JAMES J=& MARGARET E GIBBONS	110 NORFOLK CT			TOMS RIVER, NJ 08757---0	25970020700 U	
VICHEG LLC	C/O COHEN & GRIGSBY PC (CCP)	9110 STRADA PLACE #6200			NAPLES, FL 34110---0	25970020108 U	
VOSS, JEFFREY M & PALMA	1320 CHARLESTON SQ DR #101				NAPLES, FL 34110---0	25970020182 U	
REFERENCE ONLY	CHARLESTON SQUARE	A CONDOMINIUM				25970000306 N	
BROUWER, ROBERTUS FRANCISCUS	SHARON CLAIRE BROUWER	3333 MUSTANG ST			NAVAN K4B 1M5 CANADA	25970020483 F	
DOLAN, MICHAEL PATRICK	STEPHANIE KRISTIN DOLAN	456 AMBLESIDE DR			OAKVILLE L6H 6N7 CANADA	25970020409 F	
DUNN, ALEXANDER & LESLEY A	TREE TOPS	JERMYMS LANE		ROMSEY	HAMPSHIRE SO51 OQA ENGLAND	25970020263 F	
HURST, ALLAN I	620 CLARK AVENUE				BURLINGTON L7R 1E3 CANADA	25970020328 F	

Attachment: Attachment B - Hearing Package Completed 7.22.21 (17591 : PL20190001140 VA Charleston



7

PROPERTY SURVEY

FENCE LINE HIGHLIGHTED PER 5/21/20 REQUEST







GOMEZ TENNIS ACADEMY
1301 IMPERIAL GOLF COURSE BLVD.
NAPLES, FLORIDA 34110
TEL. 1-239-593-3695
HELLO@GOMEZTENNISACADEMY.COM

June 4, 2019

Collier County Government
Growth Management Department
2800 North Horseshoe Drive
Naples, FL 34104

**Re: Insubstantial Change to PUD
 Letter of No Objection to Charleston Square Fence Height Increase**

Dear Zoning and Planning Officials,

This letter serves as notification that the Owner's of Gomez Tennis Academy have no objection to our neighboring community Charleston Square increasing the height of their buffer fence at the north property line adjacent to Cemex Concrete, from 6' to 12'. This will substantially improve the atmosphere of our facility as well for the reasons provided in the application.

If you have any questions for us, please don't hesitate to contact us.

Sincerely,

Chase Muma
Partner
Gomez Tennis Academy, LLC



CEMEX INDUSTRIES
1425 WIGGINS PASS ROAD
NAPLES, FLORIDA 34110
TEL. 1-800-992-3639

June 14, 2019

Collier County Government
Growth Management Department
2800 North Horseshoe Drive
Naples, FL 34104

Re: Insubstantial Change to PUD
Letter of No Objection to Charleston Square Fence Height Increase

Dear Zoning and Planning Officials,

This letter serves as notification that Cemex Industries has no objection to our neighboring community Charleston Square increasing the height of their buffer fence at their north property line which buffers our two properties, from 8' to 12'. This will substantially improve sound and dust transmission from our facility.

If you have any questions for us, please don't hesitate to contact us.

Sincerely,

Chris Idsardi
Vice President
Cemex



3.1 (REV #2)

DETAIL OF REQUEST

ENGINEERED PLANS OF PROPOSED 10' FENCE

CORRECTION #1

(NOTE: NEW ENGINEERED PLANS SPECIFIC TO SITE)

SHOWS TOTAL BERM/FENCE HEIGHT as 18'-4"

**APPLICATION REVISION #1:
CHANGE FROM 12' TO 10' HIGH**

CONSTRUCTION PLANS & SPECIFICATIONS FOR PERMACAST PRECAST CONCRETE FENCE

GENERAL NOTES:

CODES AND STANDARDS

- STRUCTURAL DESIGN BASED ON THE 6TH EDITION OF THE 2017 FLORIDA BUILDING CODE.

DESIGN

- WIND SPEED = 150 (3 SEC GUST)
- 116 (NOMINAL)
- EXPOSURE - C
- K_d = 0.85
- CONSTRUCTION TYPE - I OR II (NONCOMBUSTIBLE MATERIALS)
- RISK CATEGORY 1

SOIL

- ALLOWABLE BEARING CAPACITY = 2,000 PSF
- ALLOWABLE LATERAL SOIL CAPACITY = 150 PSF
- MINIMUM N VALUE OF 7

CONCRETE STRENGTH

- MINIMUM 28 DAY COMPRESSIVE STRENGTH OF PRECAST ELEMENTS F_c = 5000 PSI
- MINIMUM 28 DAY COMPRESSIVE STRENGTH OF CAST IN PLACE CONCRETE F_c = 3000 PSI

MATERIALS:

- CEMENT PER ASTM C-150 TYPE 1

AGGREGATES FOR CONCRETE:

- NORMAL WEIGHT AGGREGATE: FINE AND COARSE AGGREGATE PROVISIONS AND TEST METHODS SHALL MEET ASTM C33, MAXIMUM AGGREGATE SIZE OF 3/4".

ADMIXTURES:

- NO ADMIXTURES SHALL CAUSE AN INCREASE IN SHRINKAGE WHEN TESTED IN ACCORDANCE WITH ASTM C494 AND C157

DELIVERY OF CONCRETE:

- DISCHARGE OF THE CONCRETE SHALL BE COMPLETED WITHIN 1-1/2 HOURS AFTER THE INTRODUCTION OF THE MIXING WATER TO THE CEMENT AND AGGREGATES OR THE INTRODUCTION OF THE CEMENT TO THE AGGREGATES.
- WATER SHALL NOT BE ADDED IN THE FIELD UNLESS APPROVED BY THE ENGINEER.

UTILITIES

- IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO LOCATE ALL OVERHEAD AND UNDERGROUND UTILITIES PRIOR TO CONSTRUCTING THE FENCE AND/OR FOUNDATIONS. CONTRACTOR SHALL NOTIFY LOCATION OF ALL UTILITIES TO BOTH THE OWNER AND SITE ENGINEER PRIOR TO CONSTRUCTING FENCE AND / OR FOUNDATIONS.

This item has been Electronically Signed and Sealed by Ralph Remmert, Florida P.E. #39610 using a SHA-1 Authentication Code. Printed Copies of the Document are not considered Signed and Sealed and the SHA-1 Authentication Code must be verified on any electronic copies.



JANUARY 16, 2019

FEBRUARY 28, 2020 Revision 2

JULY 22, 2020 Revision 3



Ralph
Remmert
2020.07.22
08:17:05
-04'00'

PROJECT:

IMPERIAL COUNTRY CLUB / CHARLESTON SQUARE
1349 CHARLESTON SQUARE DR.
NAPLES, FL 34110

WALL TYPE:

10 FT. PERMACAST STONE STANDARD 2.0 WALL
(6 FT OVER 4 FT)

WIND DESIGN: 150 MPH (3 SEC GUST)
116 MPH (NOMINAL)

EXPOSURE: C

CONTRACTOR TO REFER TO CIVIL DRAWINGS FOR WALL LAYOUT.

Prepared By

JBM&R Engineering, Inc.

C.A.N. 7457

P.O. BOX 1566 VALRICO, FL 33595

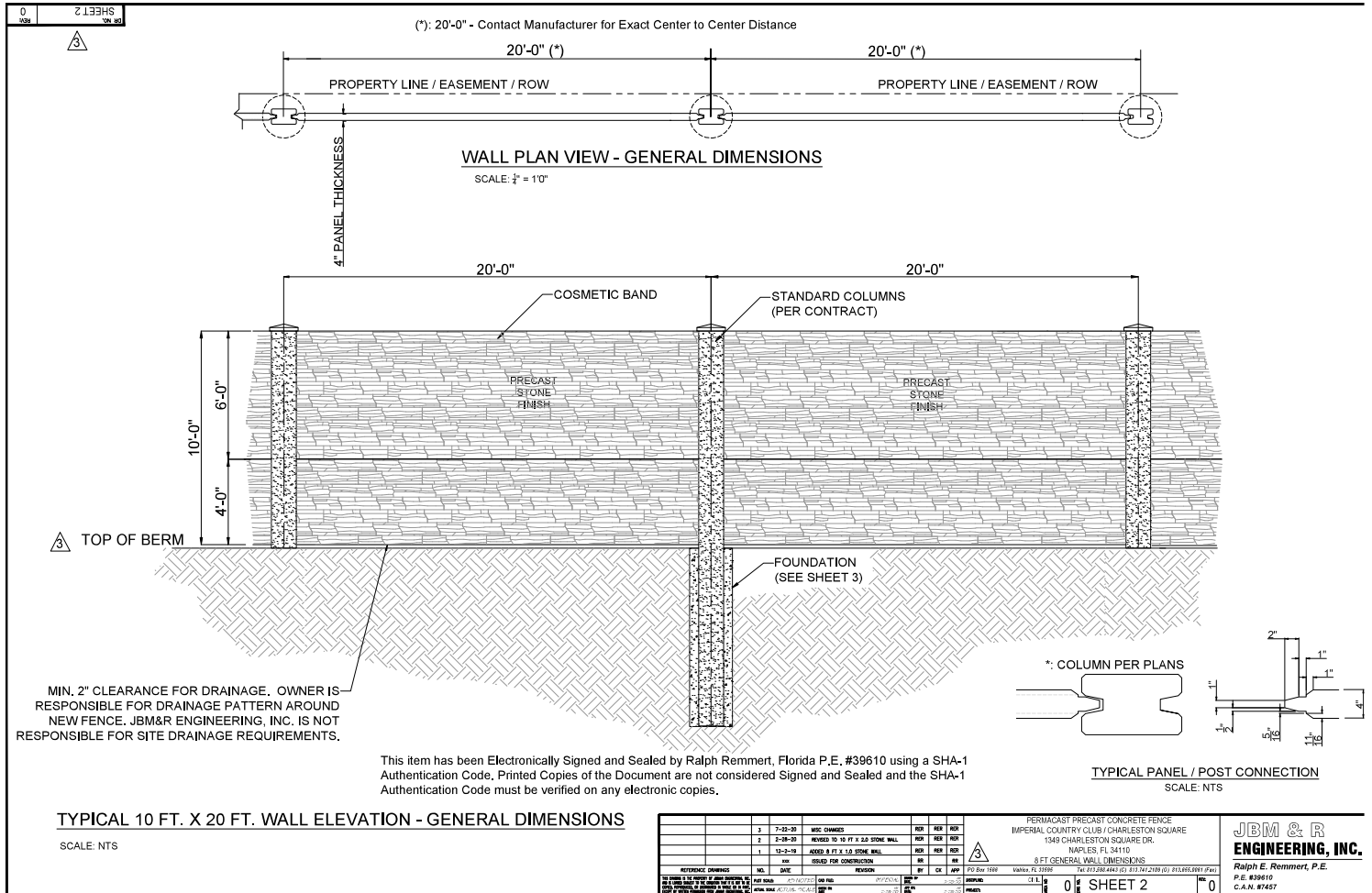
TEL: 813.598.4643 813.741.2109 813.655.0061 (FAX)

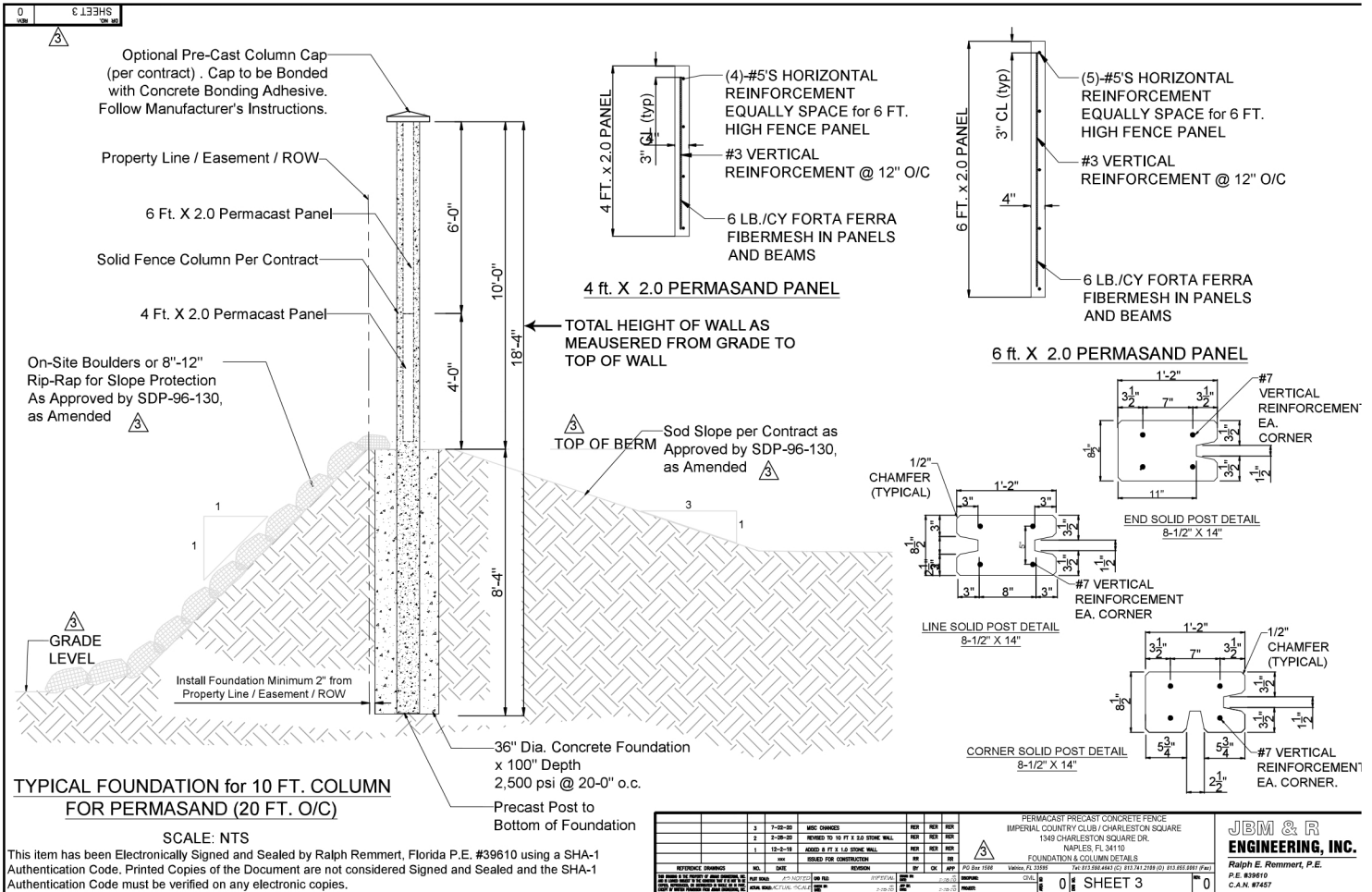
Ralph Remmert, P.E.

Florida Registration No. 39610

DRAWING INDEX

DWG. NO.	TITLE
SHEET 1	COVER SHEET & GENERAL NOTES
SHEET 2	10'-0" X 2.0 PERMAWALL DIMENSIONS
SHEET 3	FOUNDATION, PANEL, & COLUMN DETAILS







3

(REV #2)

PROJECT NARRATIVE

REVISED PER CORRECTION REQUEST DATED 5/29/20

Revised to include the berm; as depicted on Sheet 5 of the construction plans the actual wall height will be +/-18'4".

Richards & Martin, Inc.1333 3rd Avenue South, #102

Naples, FL 34102

Tel: 239.597.5308

e-mail: info@richardsandmartin.com

website: www.richardsandmartin.com

CGC 038553



April 16, 2020 (Revised on 6/18/2020 per 5/21 correction letter)

Collier County Growth Management
Zoning Services
ATTN: Business Center
2800 North Horseshoe Drive
Naples, FL 34104

**Re: Charleston Square Condominium Association of Naples, Inc. (SDP)
Variance Request – Revised Request
Type B Buffer – Request for Fence Height Increase**

Dear County Reviewers,

My name is Vicki Richards, a resident at Charleston Square, a condominium property in Imperial Golf Estates (PUD). I'm assisting our Board of Directors and Nick Solomon of Perm-a-Cast Walls whose fence permit application #PRBD20190310647 was denied due to a height conflict with the PUD and LDC section 5.03.02.C. We originally requested a 12' concrete fence and we're currently restricted to a 6' fence according to the rejection. On April 16th we changed our request to a 10'H fence in lieu of 12'H. The overall height of the fence including the berm as depicted on page 5 of the construction plans will be +/- 18'4".

The existing 8' high fence was destroyed by Hurricane Irma and we'd like to replace it with a 10' high version. We are looking to mitigate the impact of noise and dust from the neighboring industrial cement plant which operates 24 hours a day.

Cemex has conveyed their approval to our board of the proposed fence height and encourages us as it may decrease future complaints.

Please find attached our **REVISED** Variance Request Application along with photographs of the location and adjacent property.

Kind Regards,

Vicki Richards
Vice President
Richards & Martin, Inc.



Charleston Square Condominium

Future Land Use Map Designates this site as:

- Urban
- Urban Mixed Use District
- Urban Residential Subdistrict

Buffer is Type "B"

Length of Fence is appx. 292 feet

8' FENCE PRIOR TO HURRICANE IRMA



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 TOM BARBER
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

PL20190001140:

[Signature]

SIGNATURE OF APPLICANT OR AGENT

7400 Trail blvd site 200
STREET OR P.O. BOX

Tom Barber

NAME (TYPED OR PRINTED)

#

Naples, FL 34108
CITY, STATE ZIP

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was sworn to and subscribed before me this 14th day of JULY, 2021, by

[Signature], personally known to me or who produced _____ as identification
and who did/did not take an oath.



FARIHAH A. SINGH
Commission # HH 050727
Expires October 5, 2024
Bonded Thru Budget Notary Services

[Signature]
Signature of Notary Public

FARIHAH A. SINGH
Printed Name of Notary Public

My Commission Expires:
(Stamp with serial number)

PUBLIC HEARING NOTICE
CHARLESTON SQUARE CONDOMINIUMS VARIANCE
PETITION NO. PL20190001140
HEX: AUGUST 12, 2021 - 9:00 a.m.
COLLIER COUNTY GROWTH MANAGEMENT DEPARTMENT
2800 HORSESHOE DRIVE NORTH
ROOM 609-610, NAPLES, FL, 34104
JOHN KELLY, SENIOR PLANNER: 239-252-5719





6

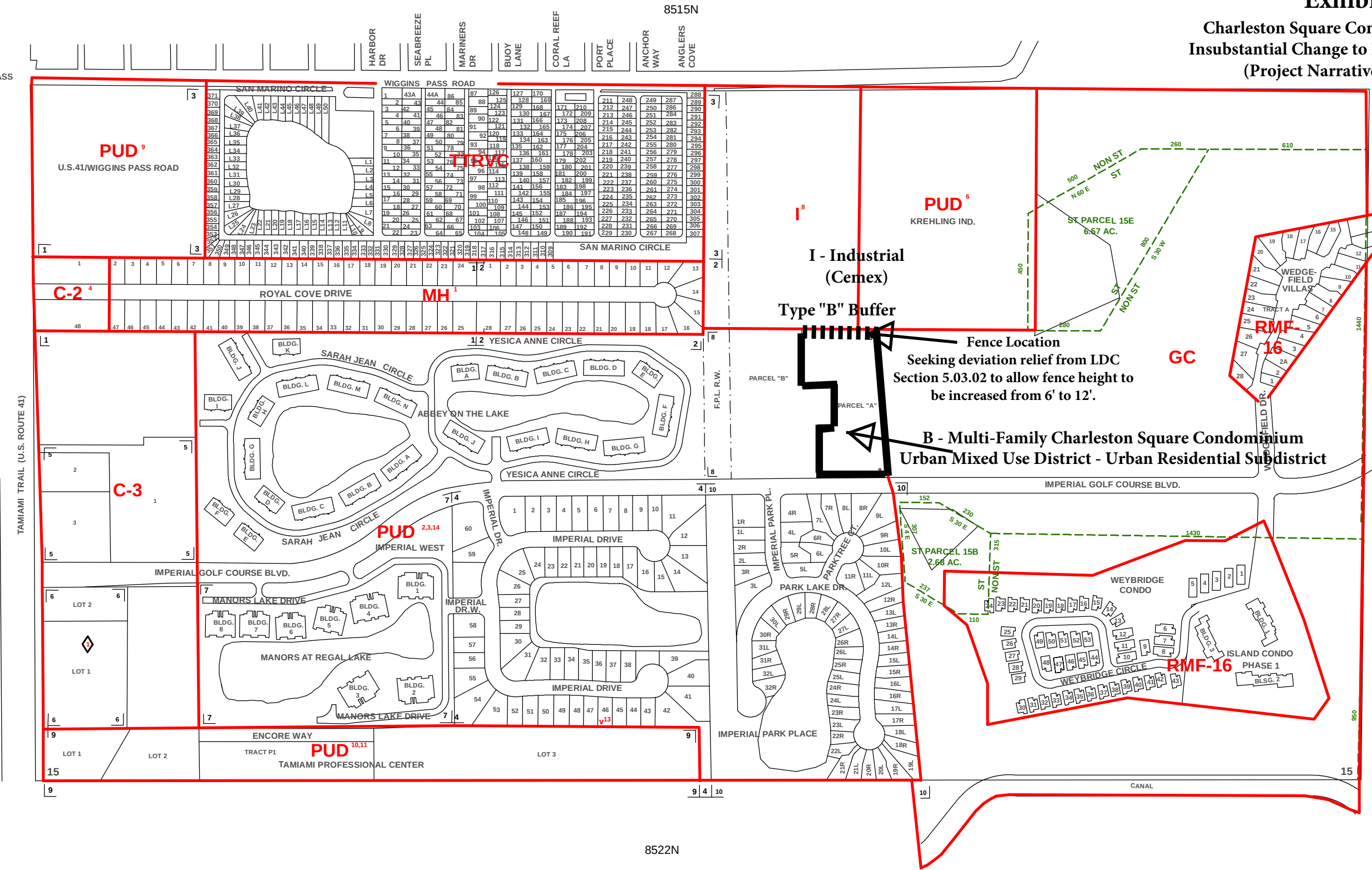
MASTER PLAN

and

SDP

Exhibit

Charleston Square Condo Association
Insubstantial Change to PUD Application
(Project Narrative Portion)



INDICATES SPECIAL TREATMENT OVERLAY

SUBDIVISION INDEX					
NO.	NAME	P.B.	Pg.	NO.	NAME
1	ROYAL COVE	8	13	11	
2	ROYAL COVE-UNIT 2	11	3	12	
3	CARIBBEAN MOBILE HOME PARK (LAKE SAN MARINO)	UNRECORDED		13	
4	PARK PLACE WEST	17	32-33	14	
5	IMPERIAL SQUARE	22	72-73	15	
6	IMPERIAL SOUTHEAST LAND TRUST	21	76	16	
7	MANORS AT REGAL LAKE	25	74-75	17	
8	CHARLESTON SQUARE	28	43-44	18	
9	TAMIAMI PROFESSIONAL CENTER	31	71-72	19	
10	IMPERIAL PARK PLACE VILLAS	14	101-102	20	

ZONING NOTES

- LDC-91
- CORRECTION TO INCLUDE S. 100'
- 9-14-82 R-81-10-C 82-80
- 11-9-82 R-82-22-C 82-105
- DELETED
- 12-28-82 R-82-16-C 82-120
- 5-4-93 SNR-93-1 93-188
- 5-23-95 R-95-2 95-38
- 9-16-97 PUD-97-6 97-46
- 10-11-98 PUD-98-11(1) 98-90
- 6-22-99 PUD-99-11(1) 99-48
- DELETED
- 7-27-04 VA-04-AR-5798 04-239
- 7-28-87 PDA-87-7C 87-58

DEVELOPMENT STANDARDS MODIFICATIONS

10-19-92 R-92-4 92-77

THIS IS TO CERTIFY THAT THIS IS A PAGE OF THE OFFICIAL ZONING ATLAS REFERRED TO AND ADOPTED BY REFERENCE BY ORDINANCE NO. 04-41 OF THE COUNTY OF COLLIER, FLORIDA, ADOPTED JUNE 22, 2004, AS AMENDED BY THE ZONING NOTES AND SUBDIVISION INDEX REFERENCED HEREON.

BY _____ CHAIRMAN
ATTEST _____ CLERK

COLLIER COUNTY, FLORIDA

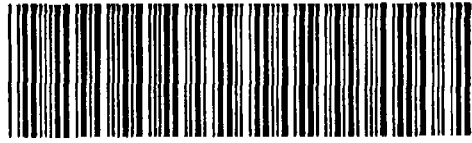
COMMUNITY DEVELOPMENT DIVISION

TWP 48S RNG 25E SEC(S) 15 SO 1/2

SCALE 0 400

MAP NUMBER: 8515S

Section 10

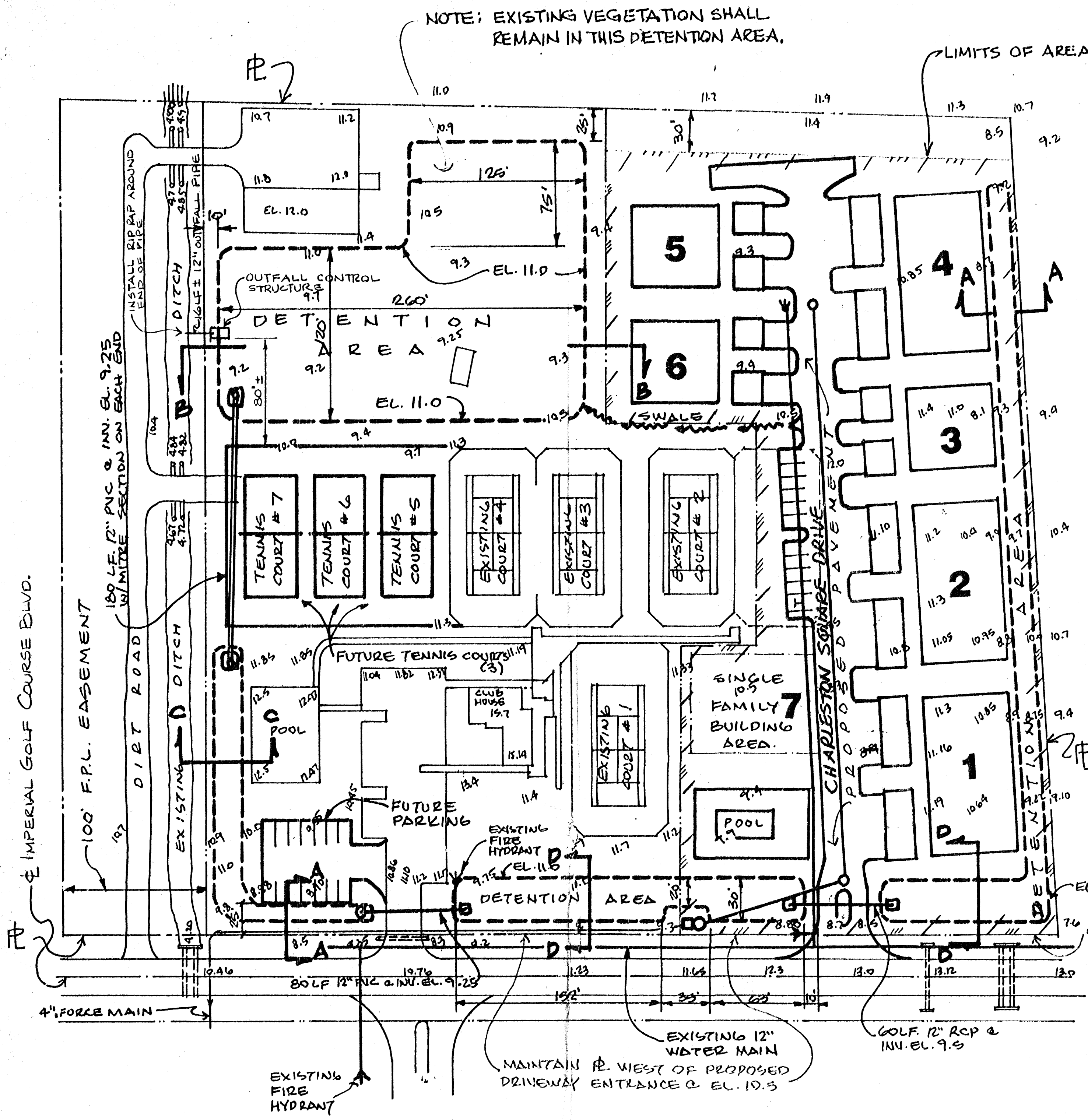


Site-Plan

Includes:

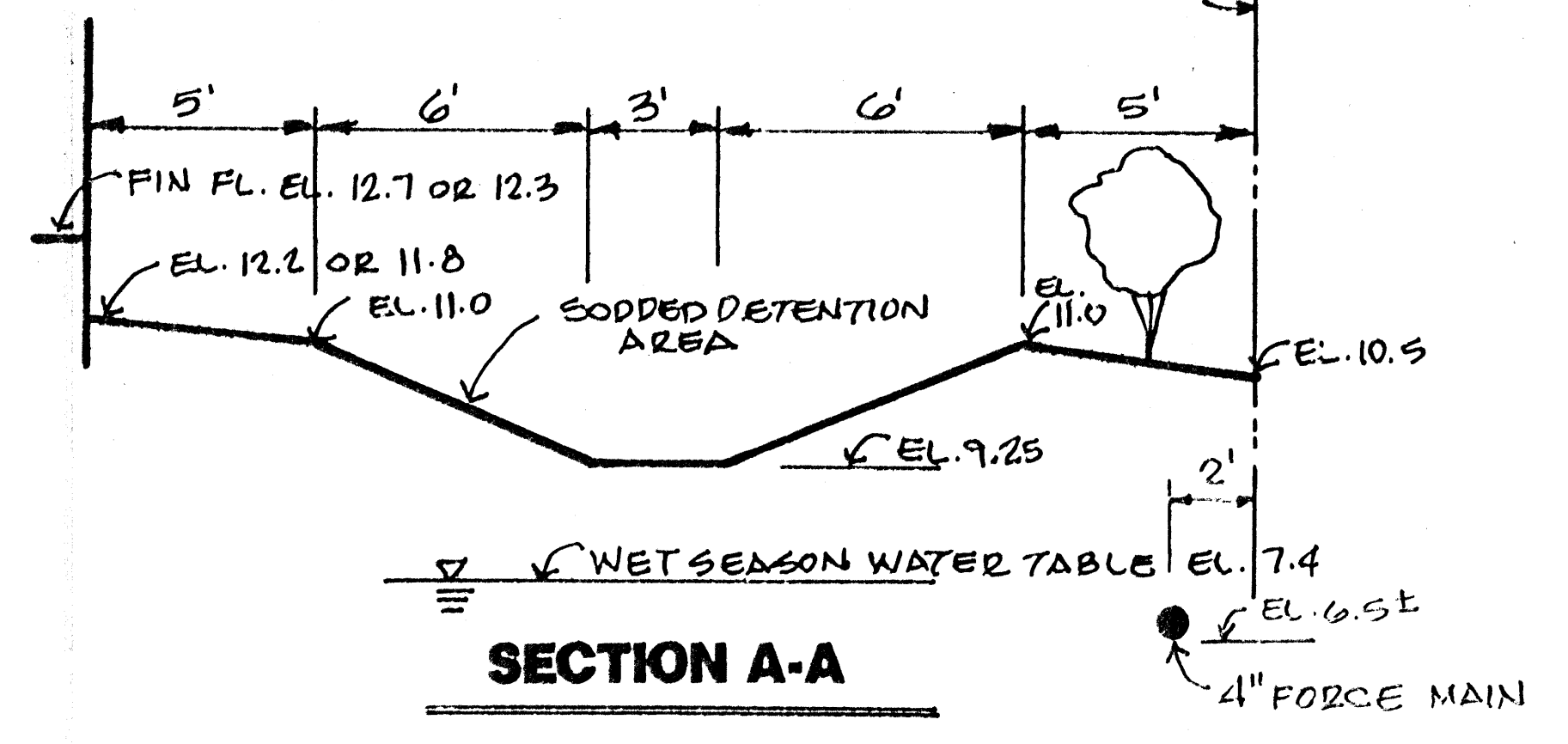
- a. Survey and Legal Description on the next following page
- b. Site Plans

Project No: 19993264**Project Name:****CHARLESTON SQUARE****BOX# 73810****Application No:** SDP-96-130**OLD SDP NO:****Approval Date:** 2/3/01**Township:** 48S**Range:** 25E**Section:** 15

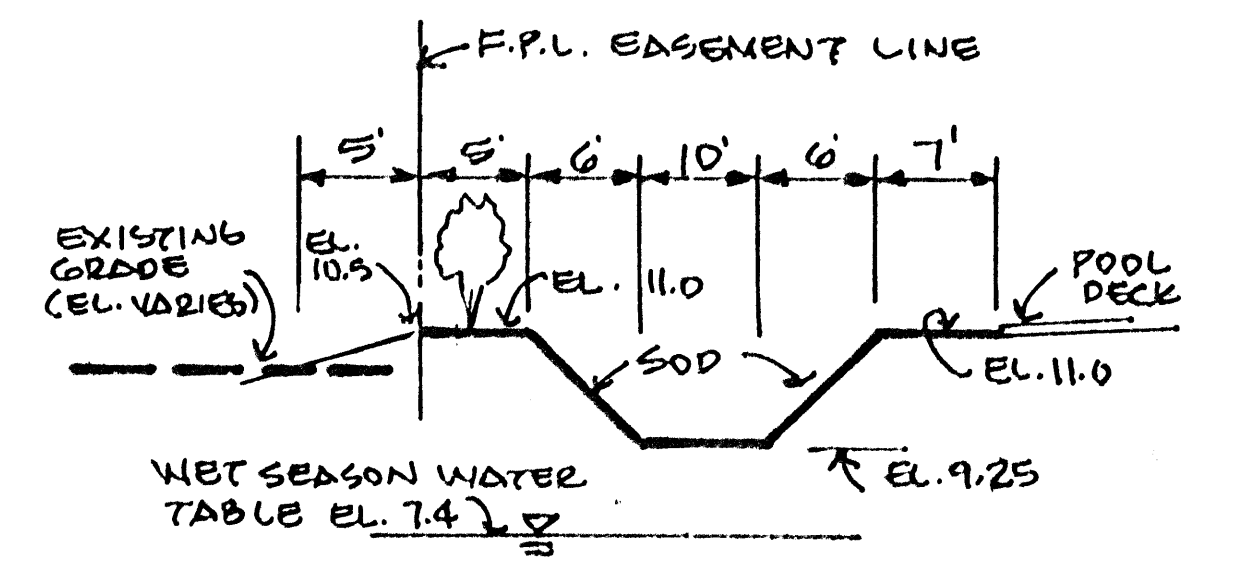


PLAN

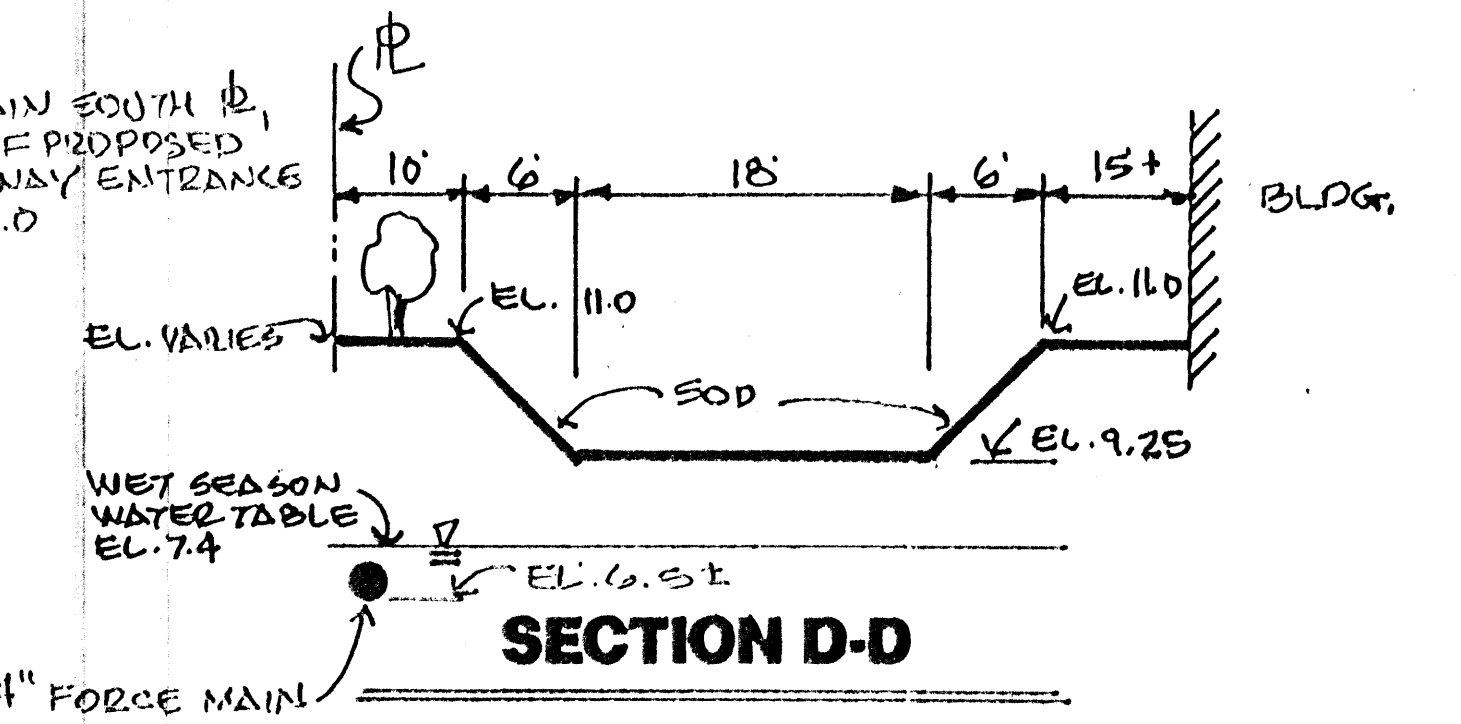
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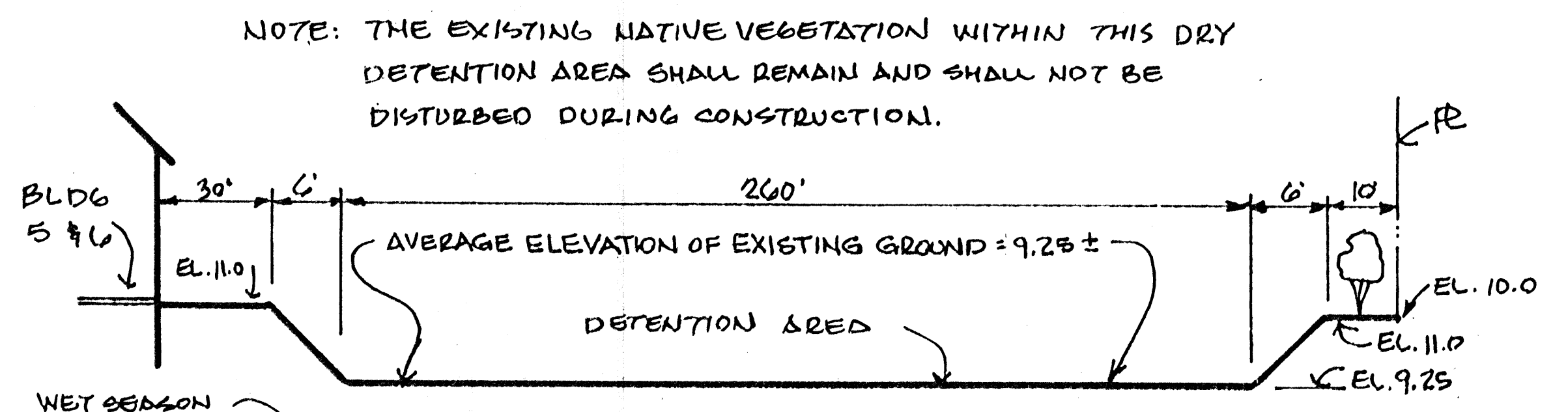
SECTION A-A



SECTION C-C

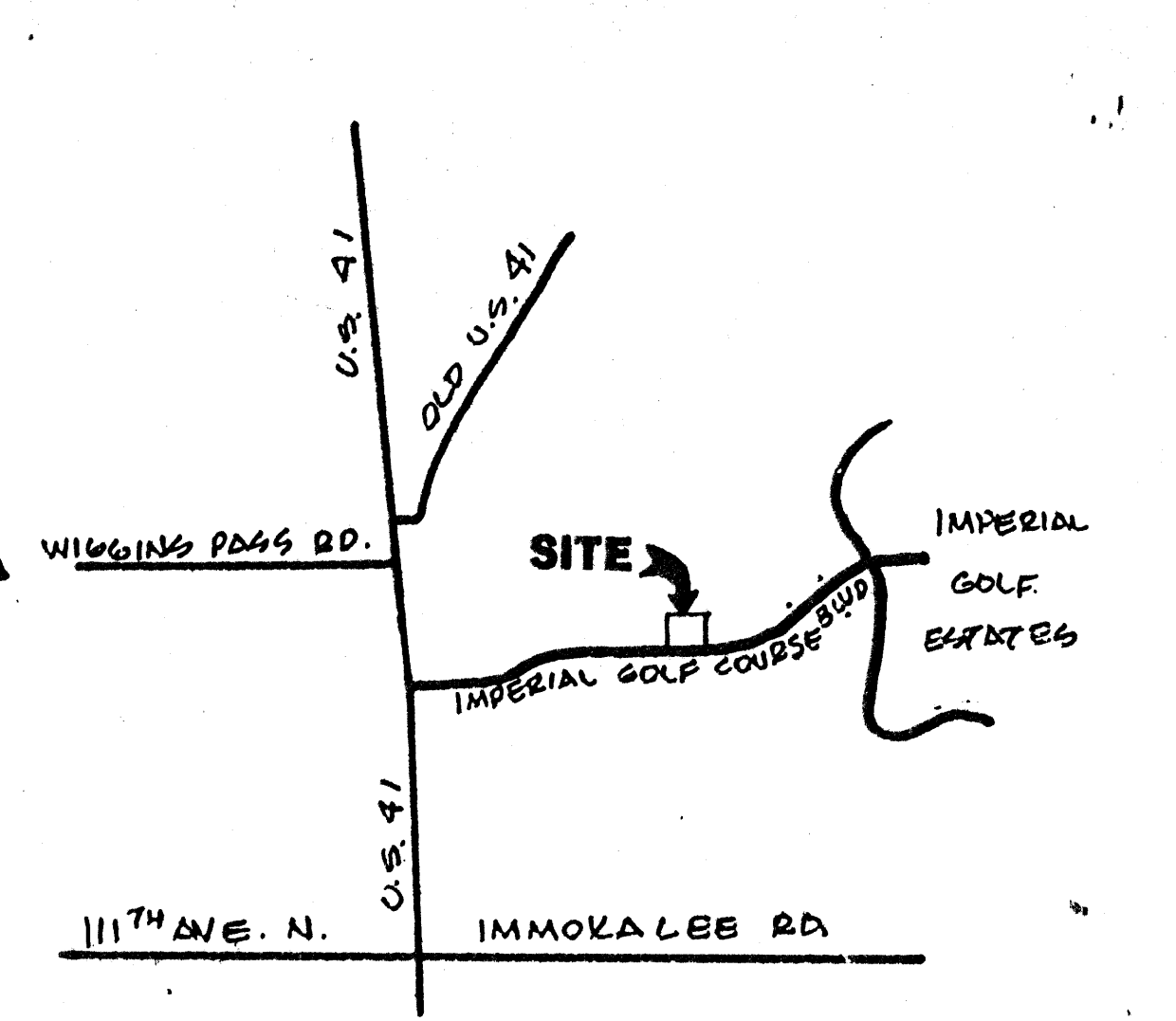


SECTION D-D



SECTION B-B

NOTE: THE EXISTING NATIVE VEGETATION WITHIN THIS DRY DETENTION AREA SHALL REMAIN AND SHALL NOT BE DISTURBED DURING CONSTRUCTION.



LOCATION MAP

LEGAL DESCRIPTION:

A tract of land lying in the Southeast 1/4 of Section 15, Township 48 South, Range 25 East, Collier County, Florida, more particularly described as follows:

Commencing at the South Quarter Corner of said Section 15 run S 89 56' 45" E along the South line of said Southeast 1/4 a distance of 45.09 feet to the Westerly line of a 100 foot wide Florida Power and Light easement as recorded in Deed Book 30, Page 29 of the Public Records of Collier County, Florida; Thence N 00 50' 27" W along said Westerly line a distance of 1154.33 feet to the Northerly line of Imperial Golf Course Boulevard, an Ingress and egress easement recorded in O.R. Book 808, Pages 1903 through 1905 of the Public Records of Collier County, Florida and the Point of Beginning of the herein described tract; thence continuing along the Westerly line of said Florida Power and Light easement N 00 50' 27" W 580.48 feet to the South line of the North 280 feet of the South 1/2 of the North 1/2 of the Southeast 1/4 of said Section 15; thence along said South line S 89 52' 04" E 672.98 feet to the Easterly line of those lands described in J.R. Book 928, Pages 009 through 011 of the Public Records of Collier County, Florida; thence along said Easterly line 571.07 feet along the arc of a curve concave to the Northeast having a radius of 22,853.30 feet, a central angle of 01 25' 54" and a chord of 571.05 feet bearing S 04 01' 46" E to the Northerly line of said Imperial Golf Course Boulevard Ingress and egress easement; thence S 89 15' 00" W along said Northerly line 704.65 feet to the Point of Beginning of the herein described tract.

The above describes an area of approximately 9.08 acres of land AND is subject to easements, restrictions and reservations of record.

NOTES:

1. The property owner shall be responsible for the maintenance of the open space and the stormwater management system on the project site.
2. All existing native vegetation within the Northerly 30 feet of the property shall be retained. ONLY exotic vegetation, as defined by Collier County LDC, shall be removed from this area.
3. All existing native vegetation falling within the large stormwater retention area in the NW corner of the property shall be retained.
4. All exotic vegetation, as defined by Collier County LDC, shall be removed from the site. The property owner shall be responsible to perpetually maintain the project site free from exotic vegetation, in accordance with Sec. 3.9.6.6.5 of the County LDC.

DATE	APPROVED	REVIEWED	DATE
10/1/96			
10/1/96			
10/1/96			
10/1/96			
10/1/96			
10/1/96			
10/1/96			
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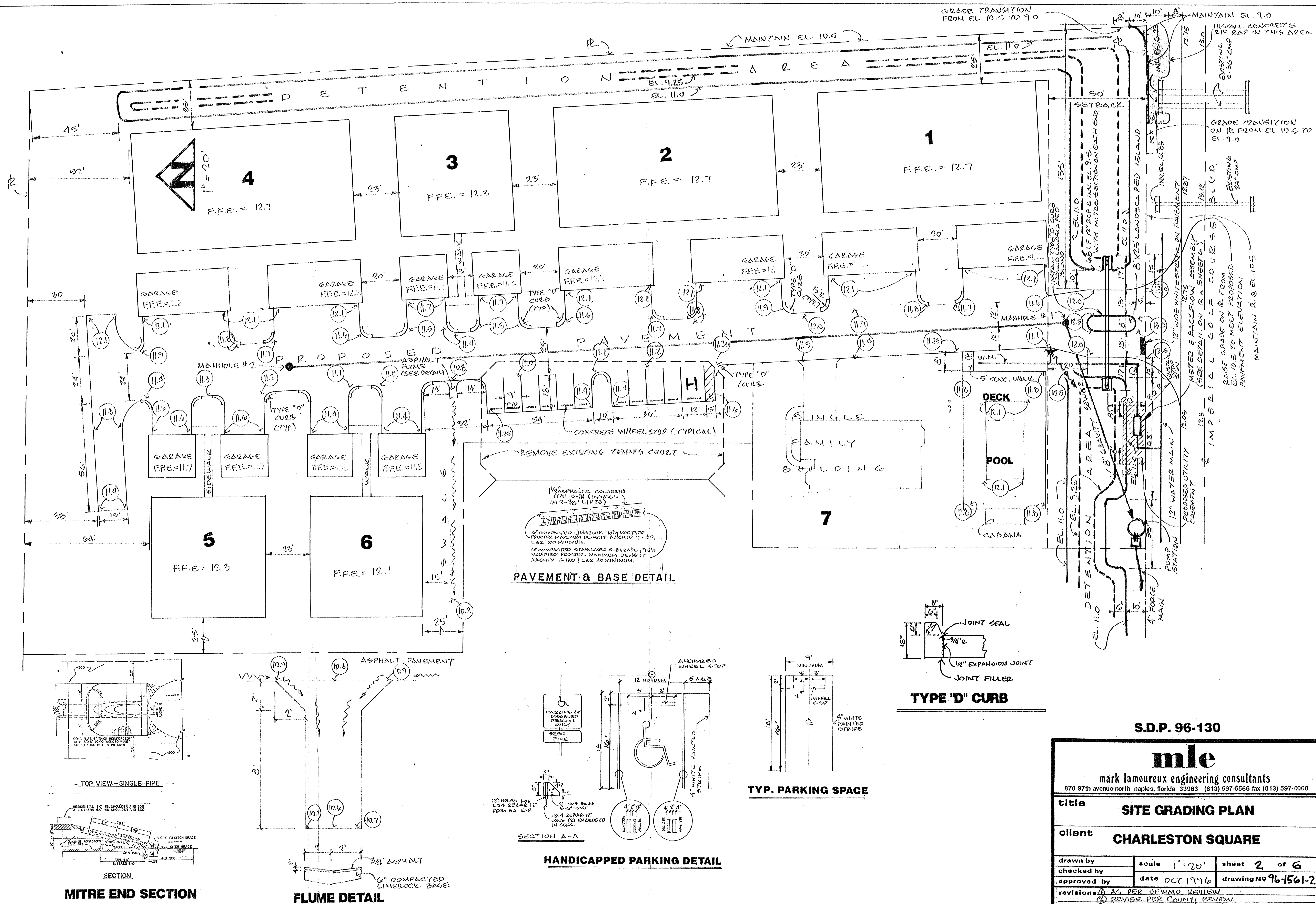
S.D.P. 96-130

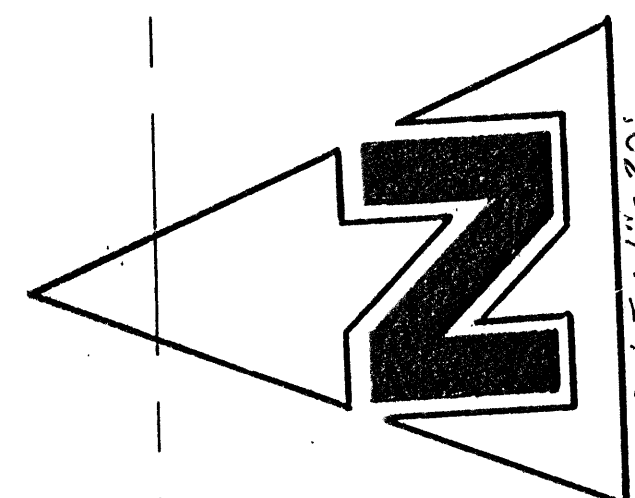
mle
mark lamoureux engineering consultants
870 97th avenue north naples, florida 33963 (813) 597-5568 fax (813) 597-4060

title
STORMWATER MANAGEMENT PLAN

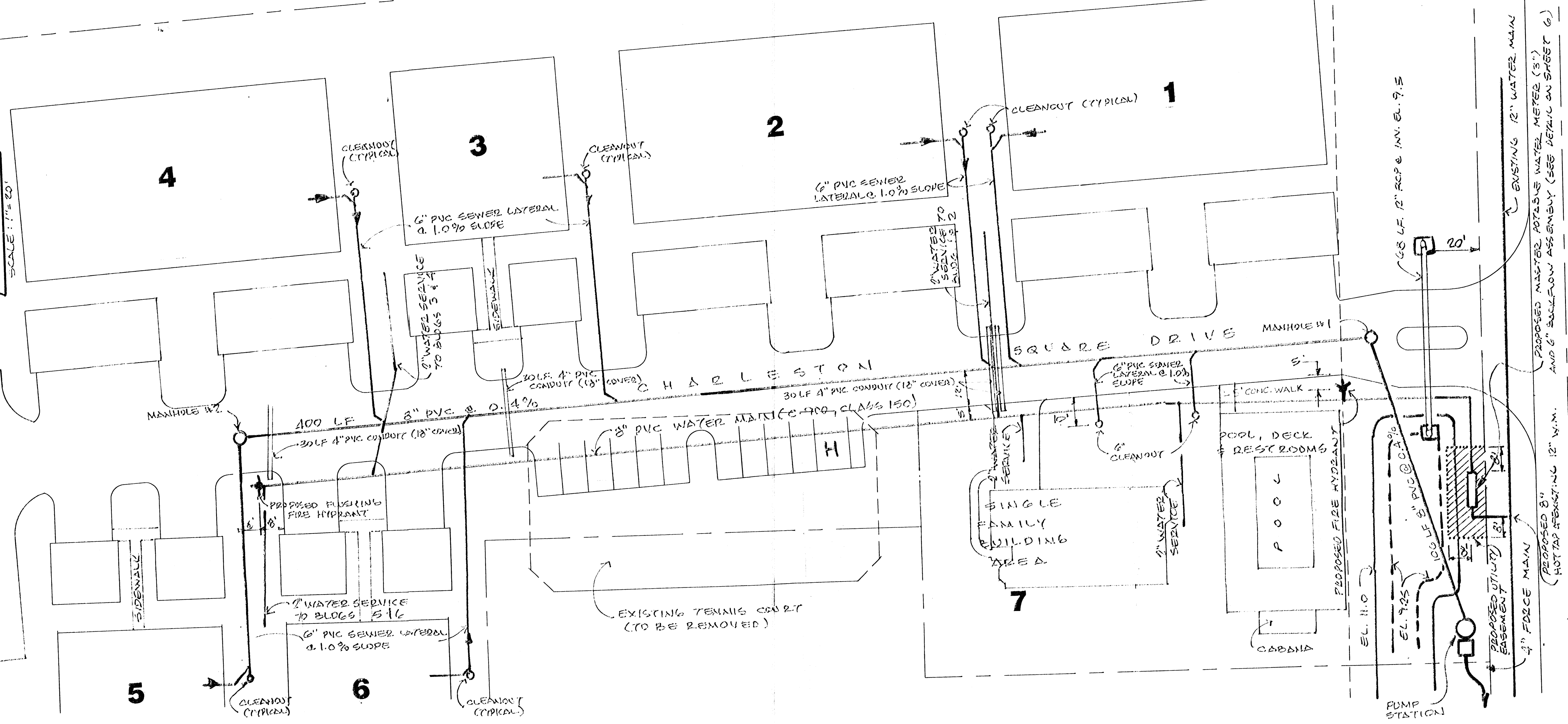
client
CHARLESTON SQUARE

drawn by	scale 1"=50'	sheet 1 of 6
checked by	date OCT. 1996	drawing NO 96-130-1
approved by	revisions: 1) AS PER SEWARD REVIEW	

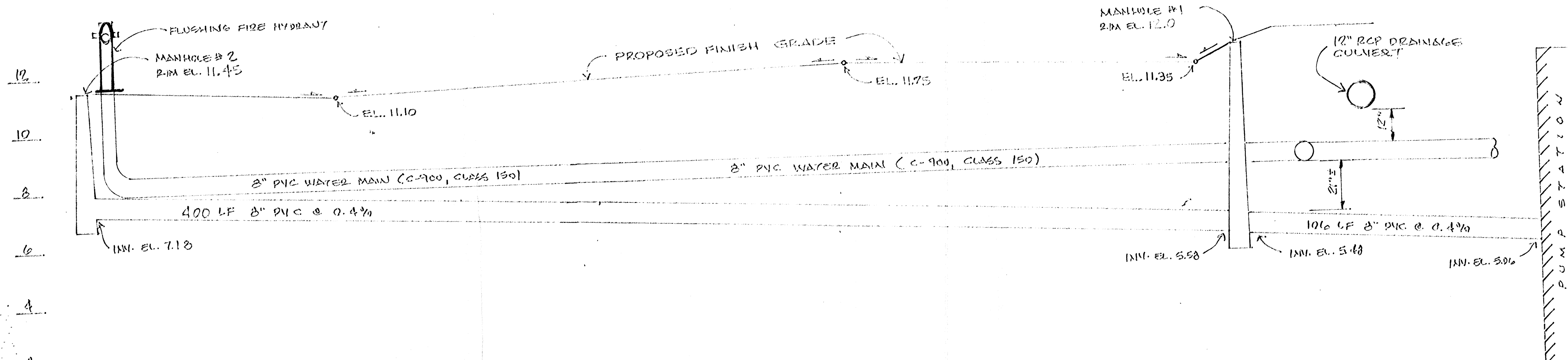




SCALE: 1"=20'



NOTE: THE PROPERTY OWNER IS THE ENTITY RESPONSIBLE FOR OWNERSHIP AND MAINTENANCE OF ALL ON-SITE POTABLE WATER AND SANITARY SEWER FACILITIES.

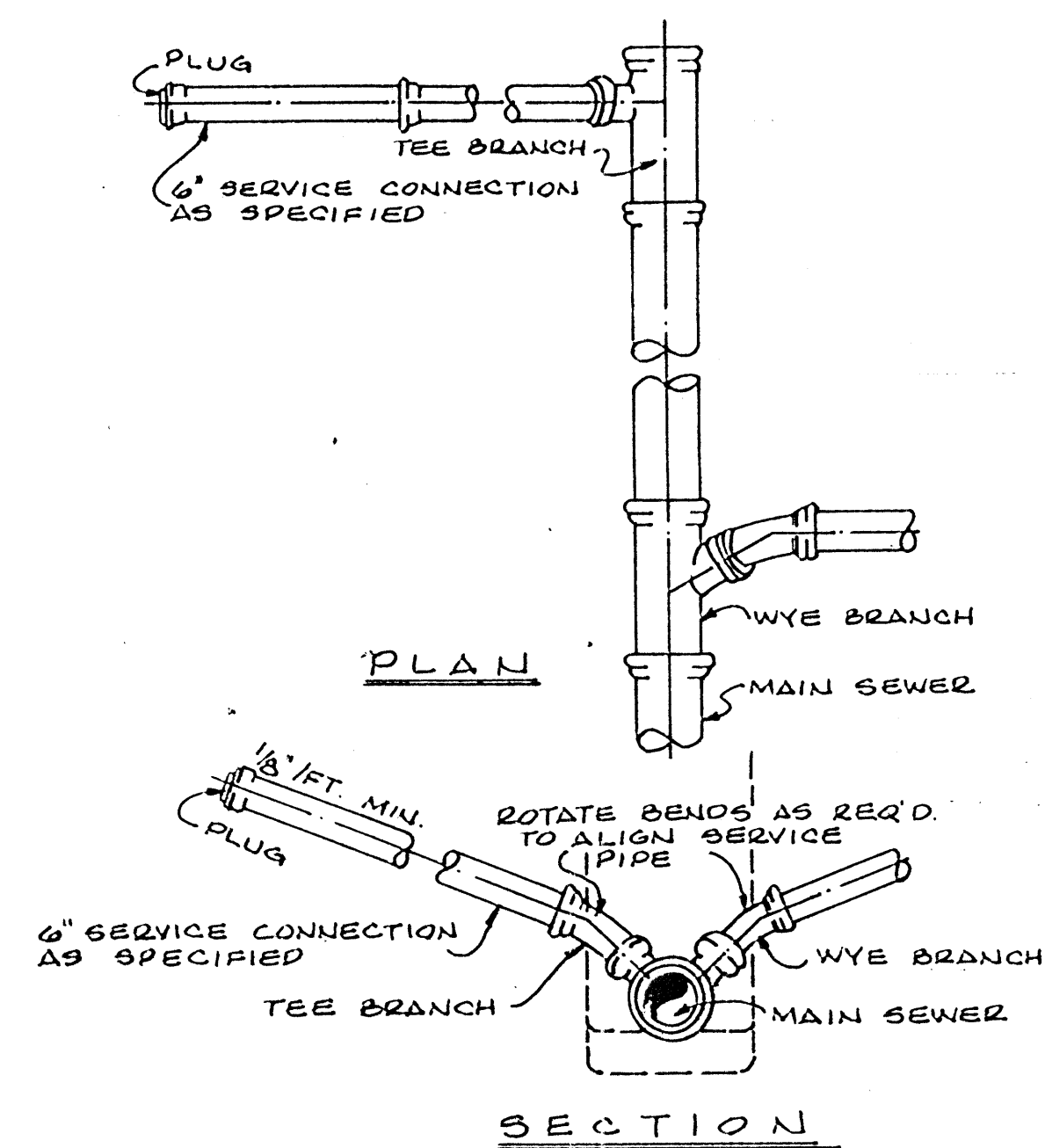


S.D.P. 96-130

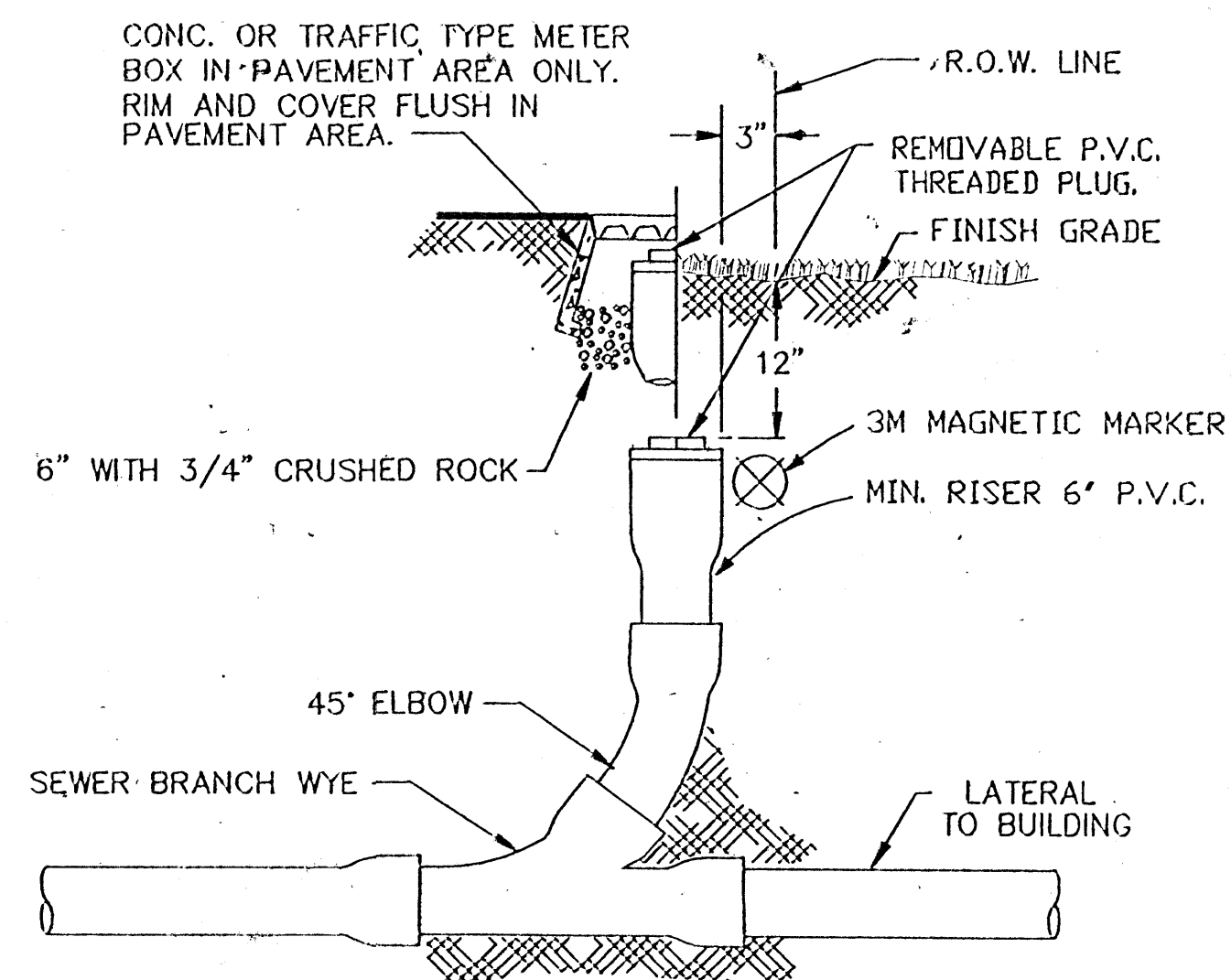
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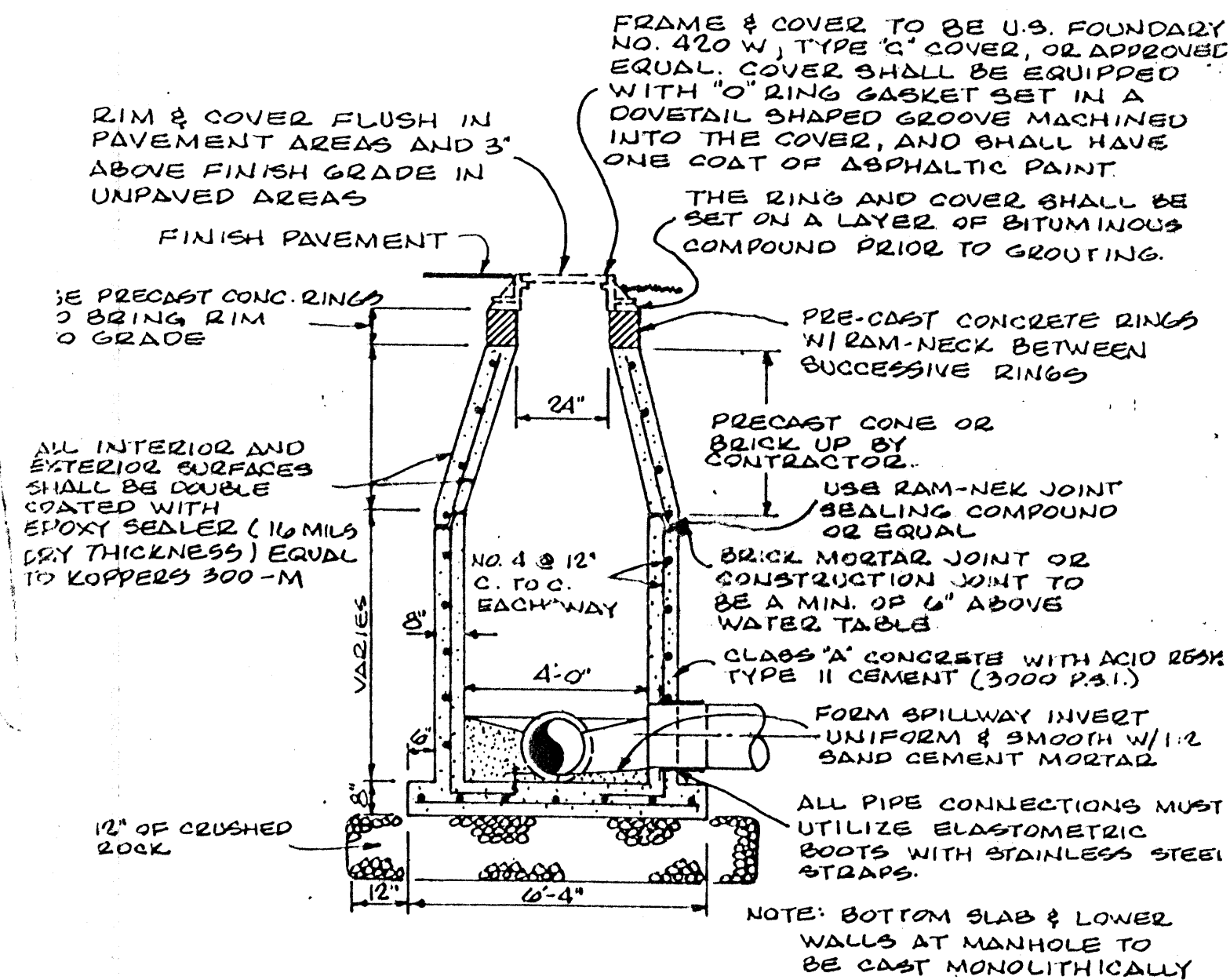
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client CHARLESTON SQUARE		
drawn by	scale 1"=20'	sheet 3 of 6
checked by	date Oct. 1996	drawing N296-156
approved by	revisions ① REVISE PER COUNTY REVIEW	



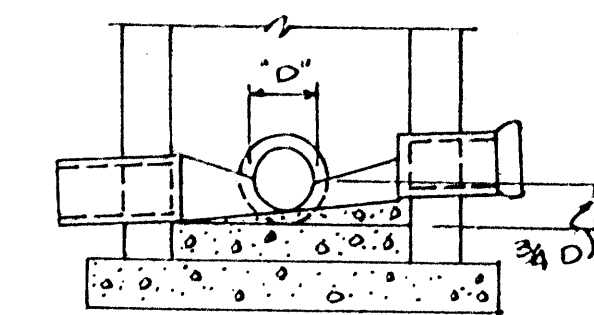
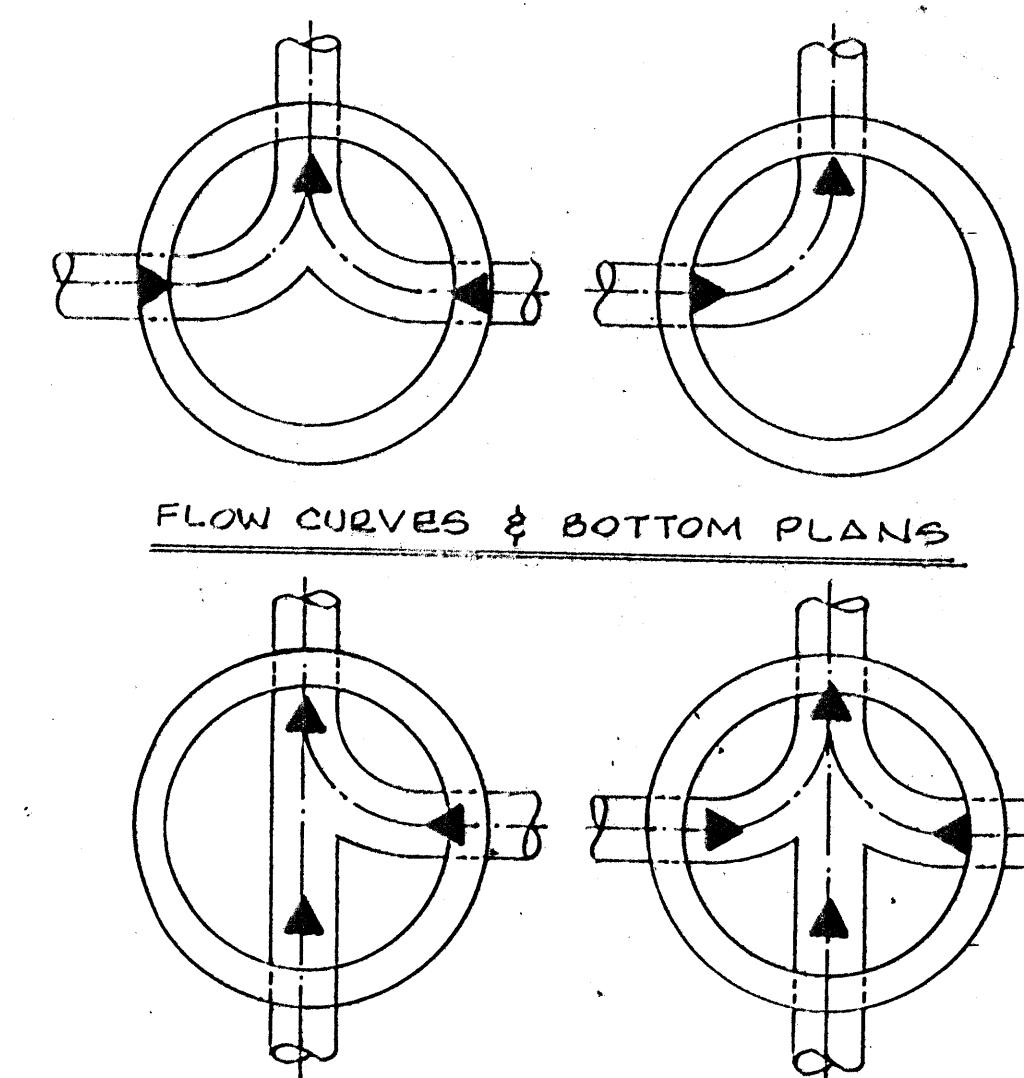
**TYPICAL SANITARY SEWER
SERVICE CONNECTION**



SEWER CLEAN-OUT

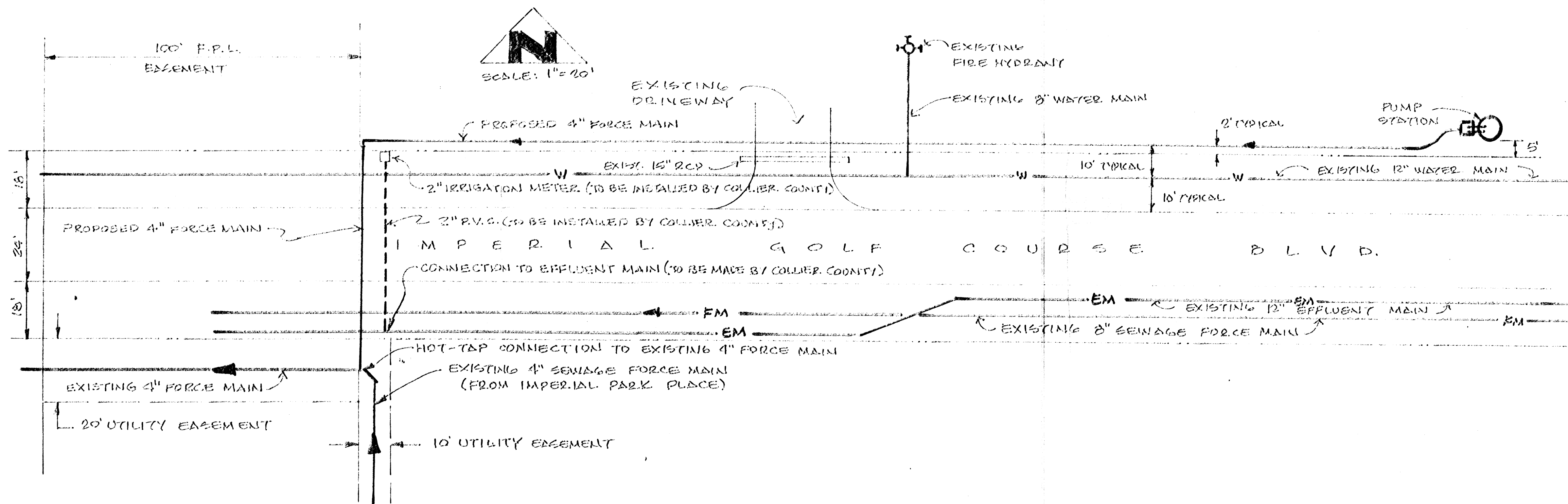


PRECAST CONCRETE MANHOLE

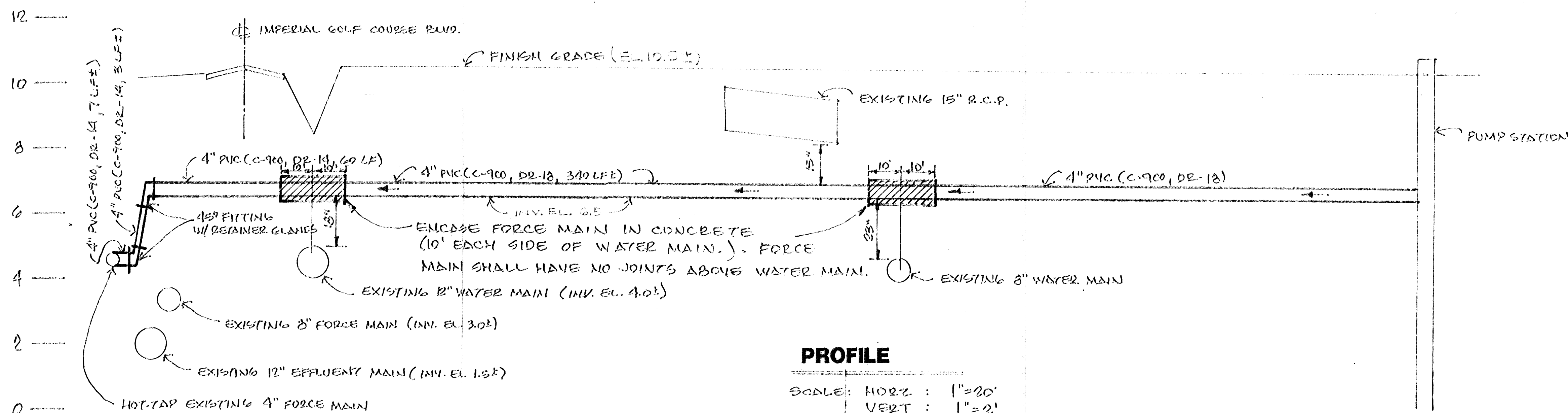


MANHOLE FLOW CHANNELS

1. A SPILLWAY SHALL BE PROVIDED FOR A SMOOTH FLOW BETWEEN PIPES WITH DIFFERENT INVERT ELEVATIONS.
2. MANHOLE SHELVE SHALL BE SLOPED WITH A 1/2" MIN. TO A 1" MAX. DROP FROM MANHOLE WALL TO CHANNEL.
3. CHANNEL WIDTH SHALL BE NOT LESS THAN PIPE DIAMETER "D" & SHALL HAVE A DEPTH OF 3/4 "D".



NOTE: THE PROPERTY OWNER IS THE ENTITY RESPONSIBLE FOR OWNERSHIP AND MAINTENANCE OF ALL ON-SITE SANITARY SEWER FACILITIES.



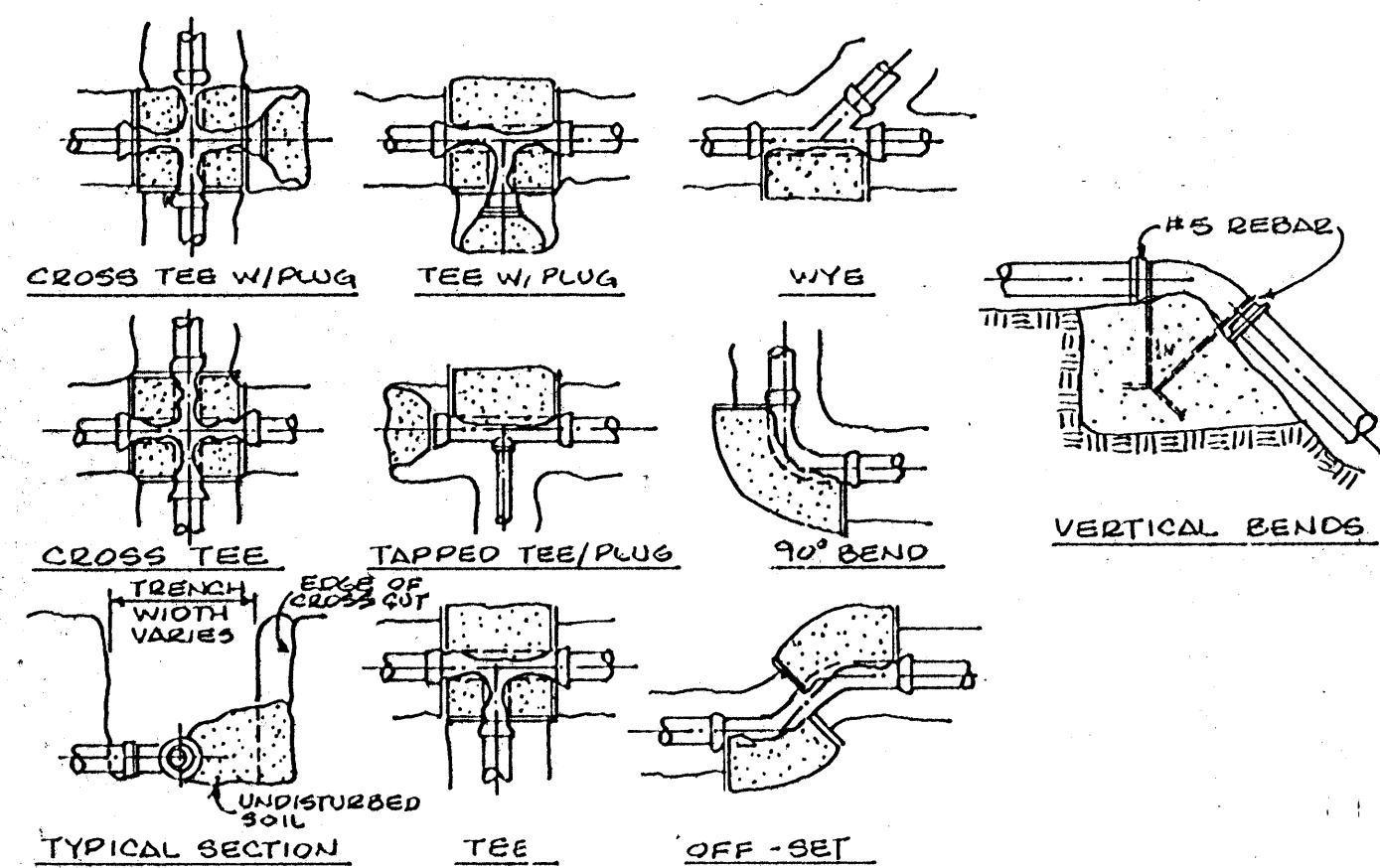
S.D.P. 96-130

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870 97th avenue north naples, florida 33963 (813) 597-5566 fax (813) 597-4060

title SEWAGE FORCEMAIN & SEWER DETAILS		
client CHARLESTON SQUARE		
drawn by JB	scale 1"=20	sheet 4 of 6
checked by ML	date OCT. 1976	drawing NO 96-1561-4
revisions ① REVISE PER COUNTY REVIEW.		





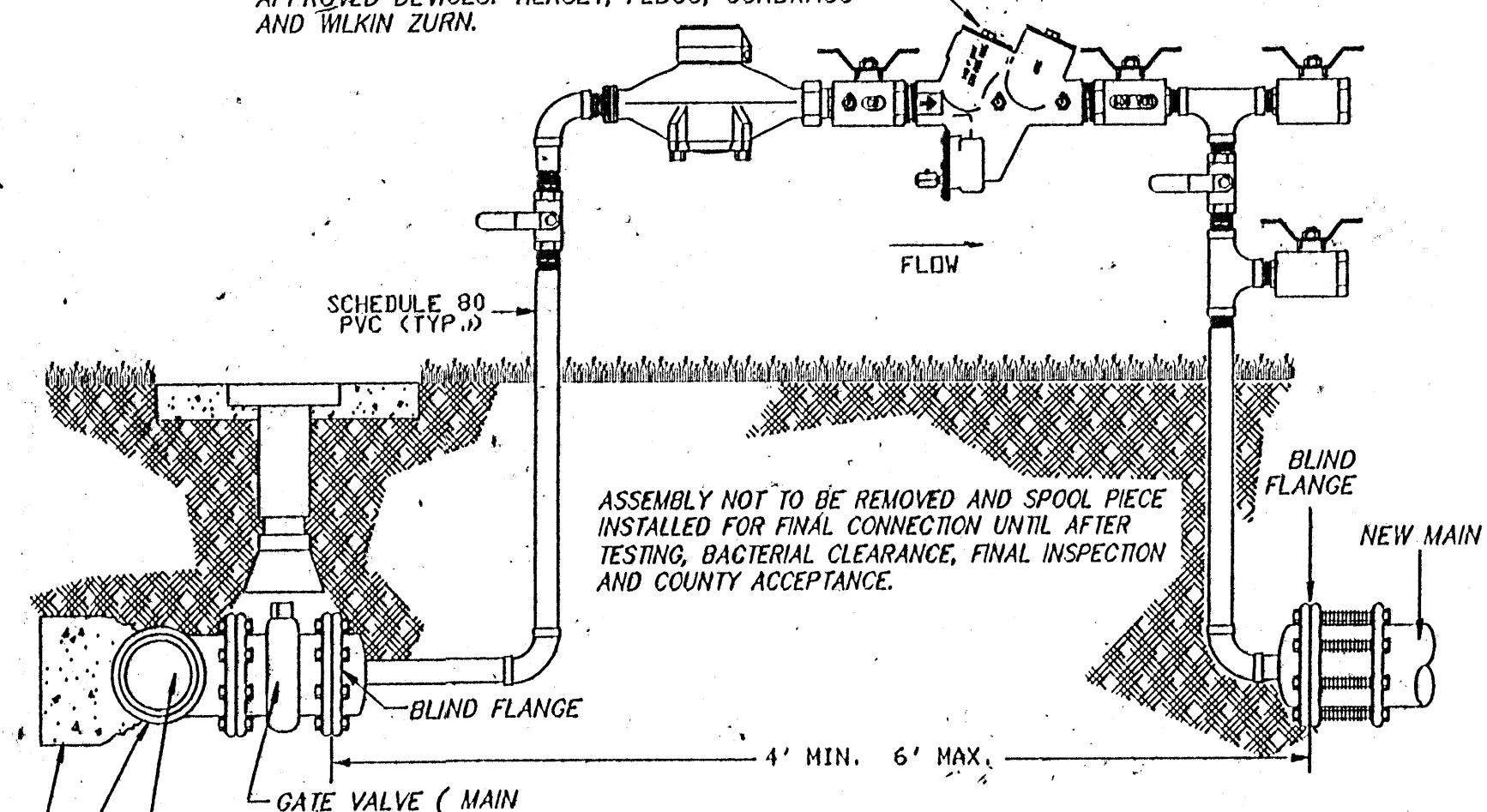
1. THRUST BLOCKS SHALL BE POURED AGAINST UNDISTURBED MATERIAL. WHERE TRENCH WALL HAS BEEN DISTURBED, EXCAVATE LOOSE MATERIAL AND EXTEND THRUST BLOCK TO UNDISTURBED MATERIAL.
2. ON BENDS, TEES & WYES THRUST BLOCK SHALL EXTEND FULL LENGTH.
3. A BOARD OR OTHER SUITABLE MATERIAL SHALL BE PLACED IN FRONT OF ALL PLUGS BEFORE POURING THRUST BLOCK.
4. ALL MUCK OR OTHER UNSTABLE MATERIAL ENCOUNTERED SHALL BE REMOVED AND REPLACED WITH STABLE MATERIAL BEFORE BACKFILLING.
5. BACKFILL MATERIAL SHALL NOT INCLUDE ROCK OR BOULDERS.
6. THRUST BLOCK AREAS BASED ON SOIL BEARING LOAD OF 2000 P.S.F. AND LINE PRESSURE OF 150 P.S.I.

MINIMUM BEARING AREAS IN SQUARE FEET FOR THRUST BLOCKS

PIPE SIZE	TEES	90° BEND	45° BEND	22 1/2° BEND	VALVES & PLUGS
4"	1	1	1	1	1
6"	3	4	2	1	3
8"	5	7	4	2	5

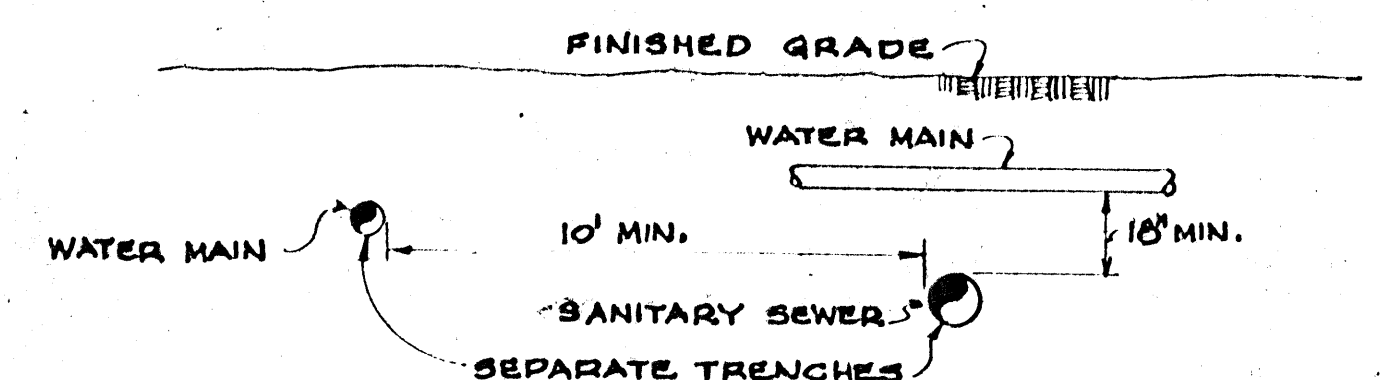
TYPICAL THRUST BLOCK DETAILS

REDUCED PRESSURE BACKFLOW PREVENTER ASSEMBLY SUPPLIED WITH AMMONIA & CHLORINE RESISTANT SEATS AND SILICONE RUBBER SEALS. APPROVED DEVICES: HERSEY, FEBCO, CONBRACO AND WILKIN ZURN.



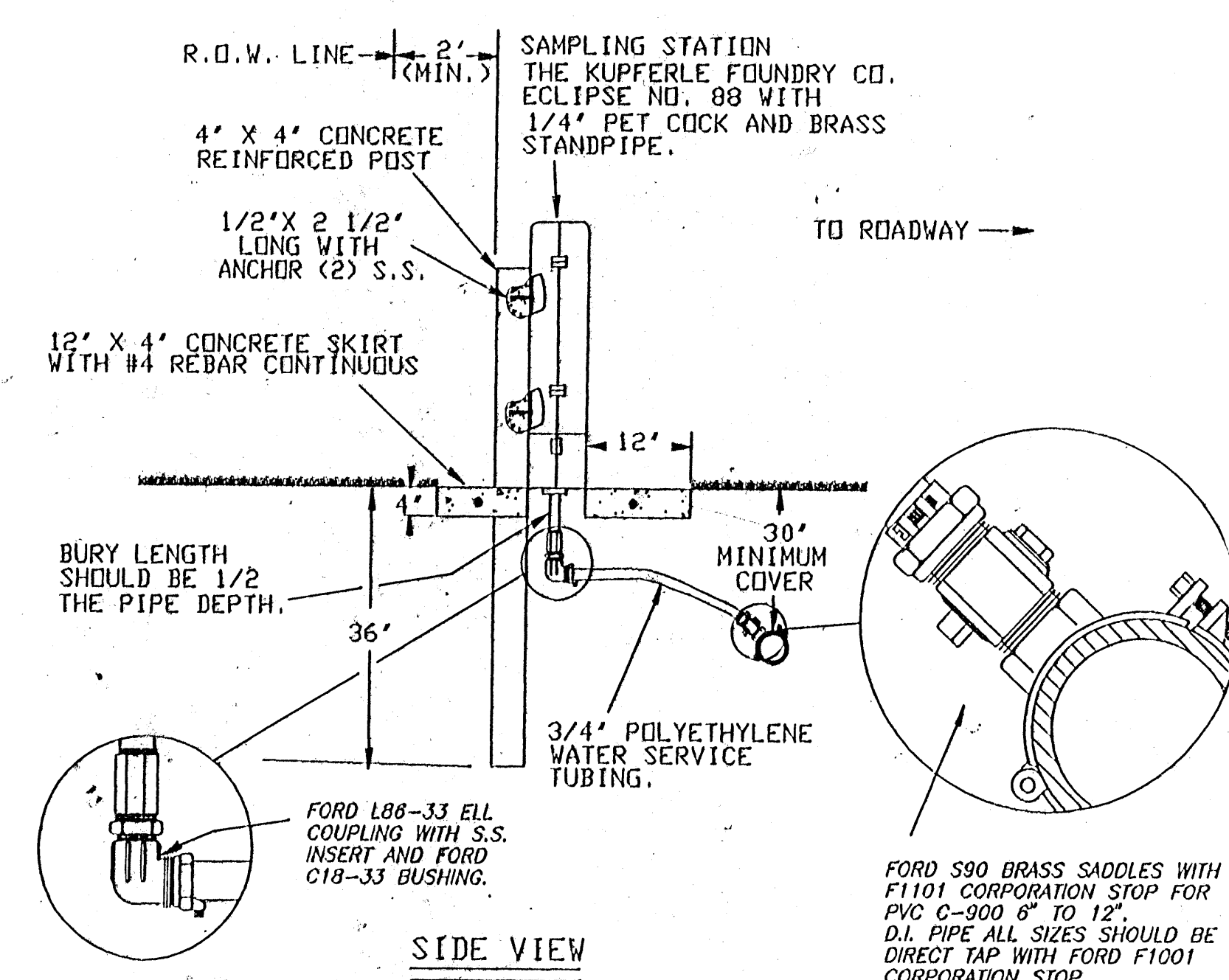
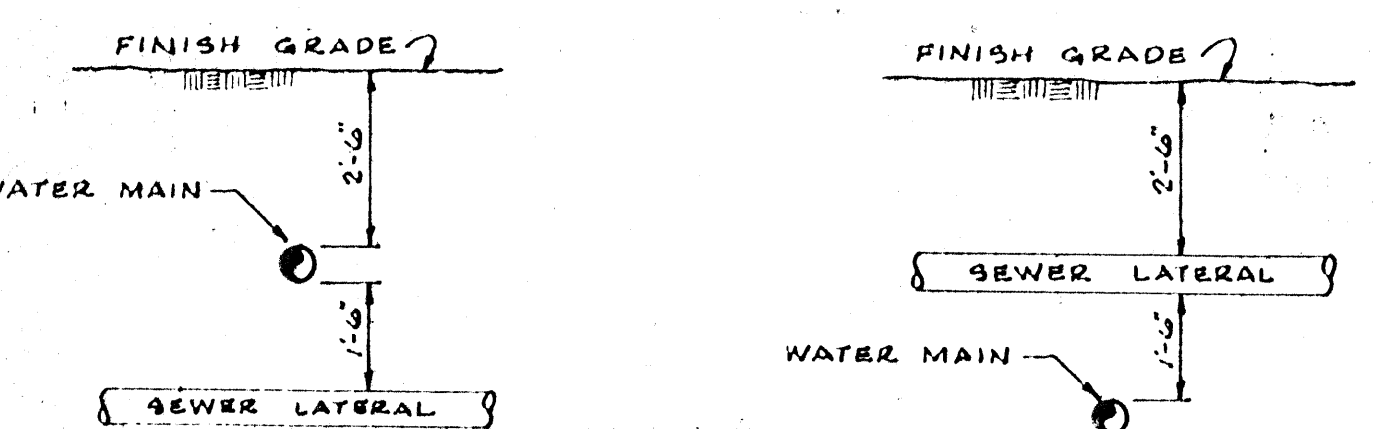
- NOTES:
1. FINAL CONNECTION TO BE WITNESSED BY COLLIER COUNTY UTILITIES DIVISION.
 2. BLIND FLANGES TO BE PROPERLY RESTRAINED.
 3. INSTALL JUMPER TAP SYSTEM FOR TEMPORARY METER DOWNSTREAM OF BLIND FLANGE FOR CONSTRUCTION WATER.
 4. 6" TO 12" TAPPING SADDLE MAY BE EITHER STAINLESS STEEL OR C.I. AT ENGINEERING OPTION ALL TAPPING SADDLES OVER 12" SHALL BE C.I.
 5. JUMPER ASSEMBLY MUST BE MINIMUM OF 18" ABOVE FINISHED GRADE.
 6. BACKFLOW ASSEMBLY REQUIRES INITIAL CERTIFICATION BY COLLIER COUNTY UTILITY PERSONNEL.

HOT TAP TO EXISTING MAIN

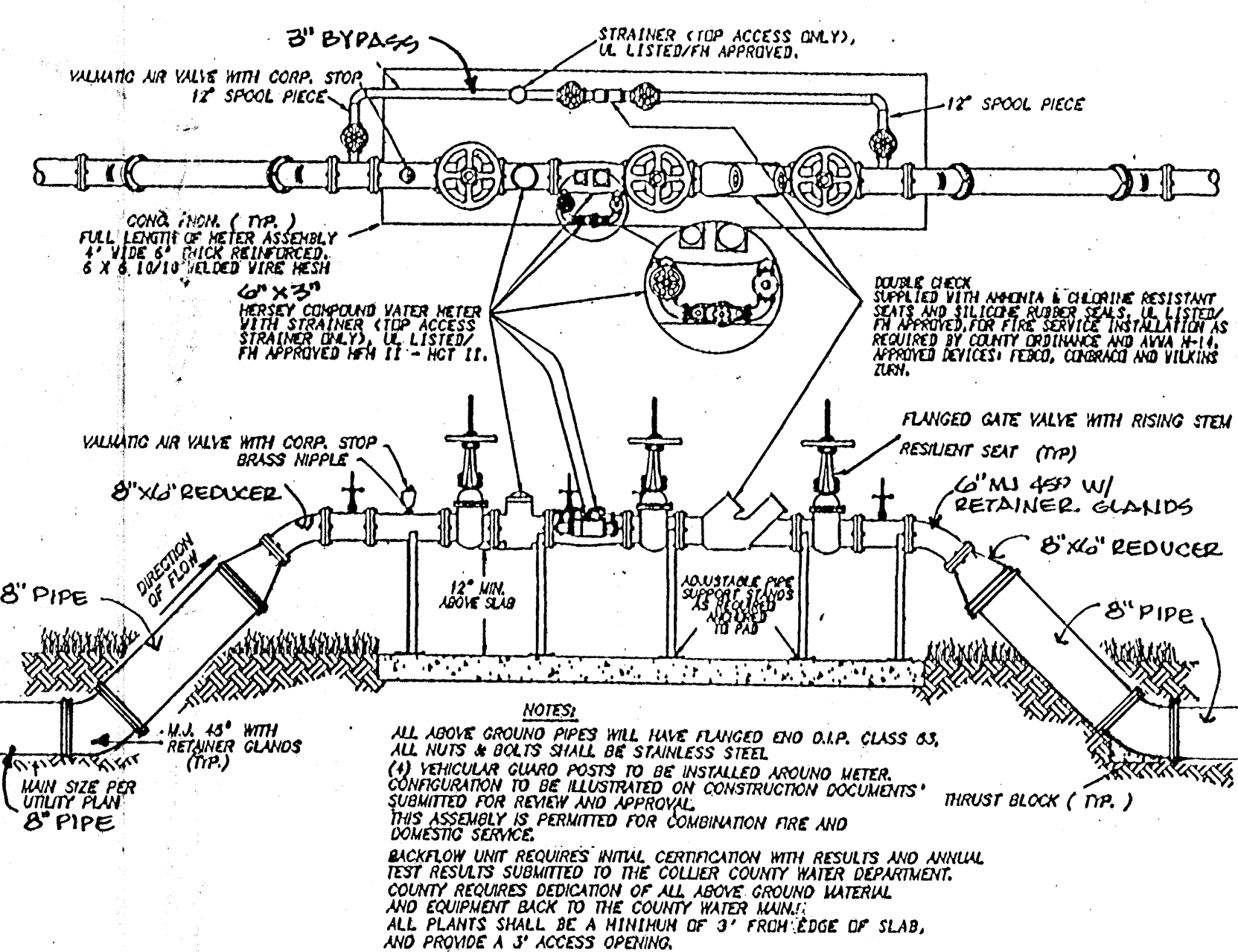


WATER & SEWER LINE ORIENTATION

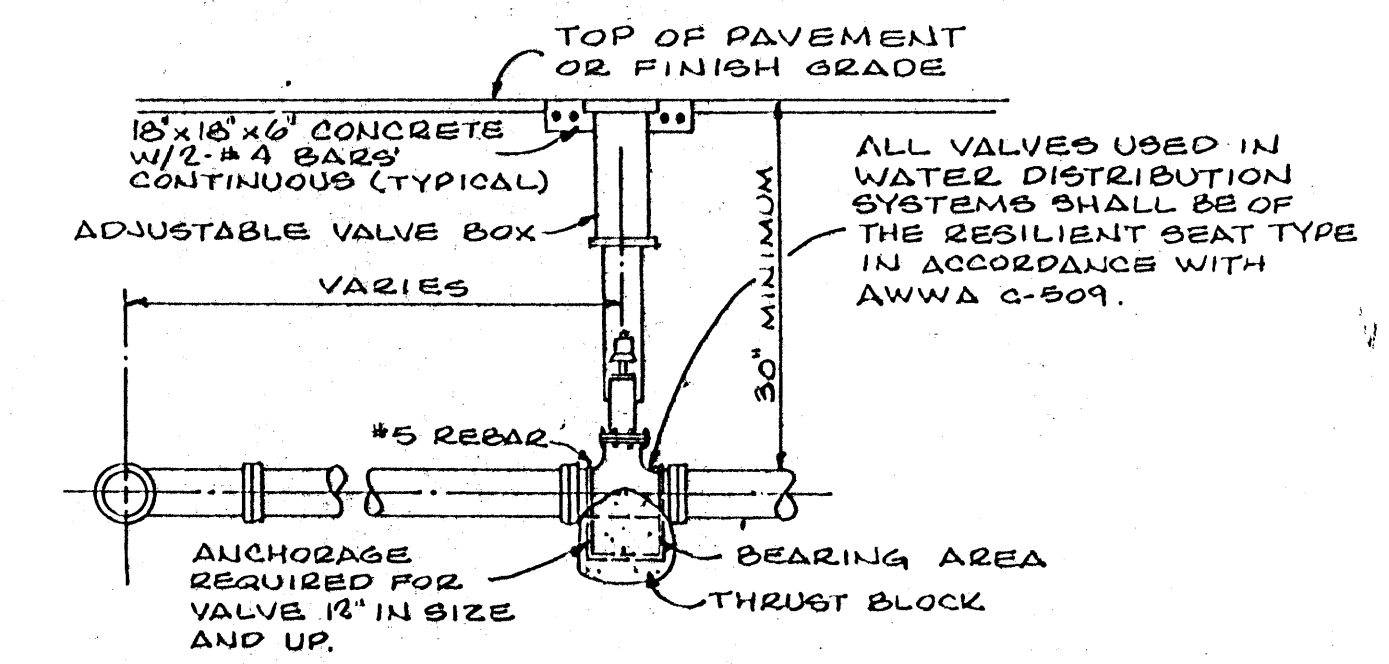
NOTE: WATER LINES AND SANITARY SEWER LINES SHALL BE SEPARATED BY A MINIMUM CLEARANCE OF 18" VERTICALLY AND 10' HORIZONTALLY. WHEN THE ABOVE STANDARD CAN NOT BE MAINTAINED, THE SEWER LINE SHALL BE ENCASED WITH CONCRETE FOR A DISTANCE OF 10' EACH WAY FROM WATER LINE, OR CLASS 51 D.I.P. MAY BE USED BETWEEN SEWER MANHOLES.



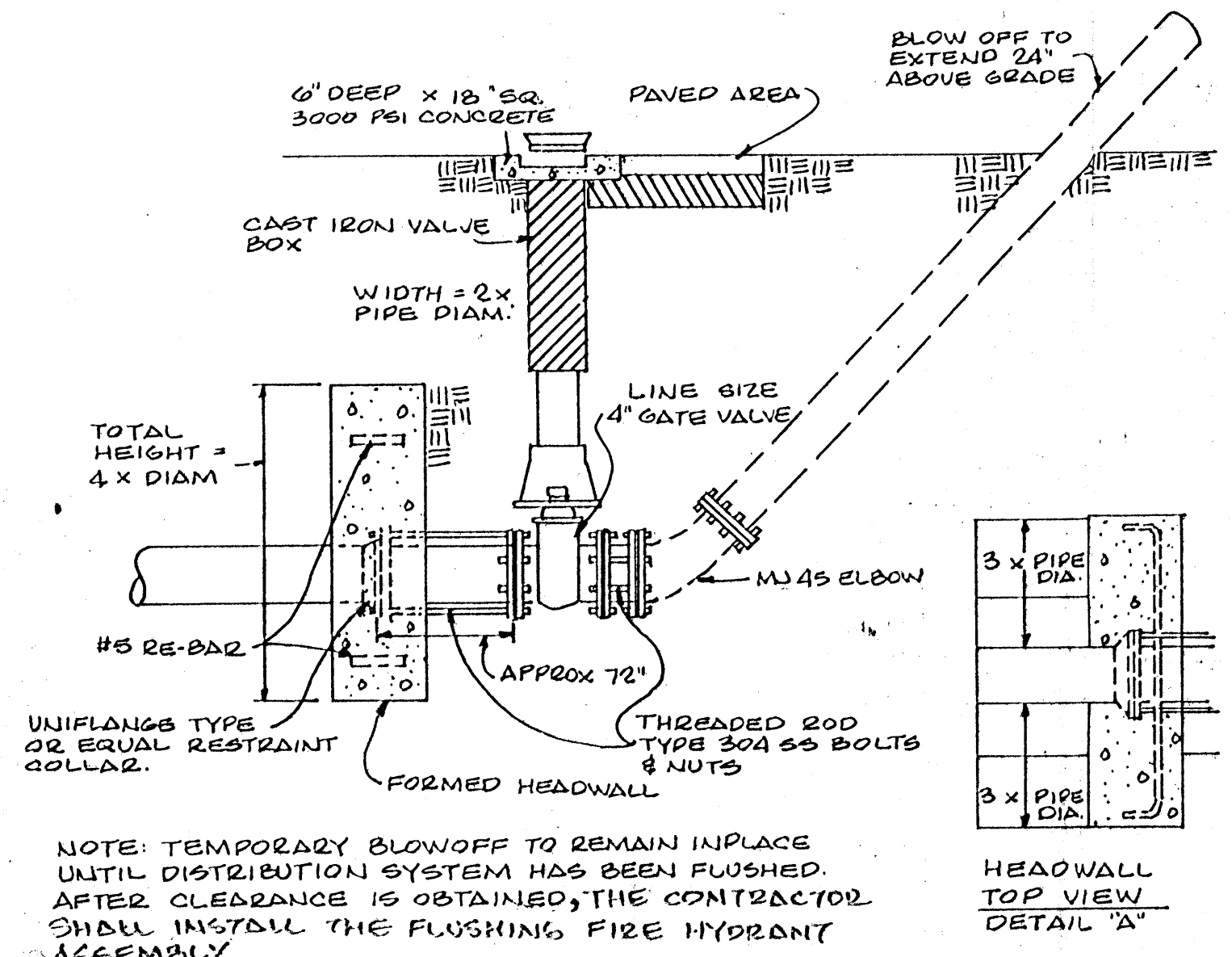
BACTERIAL SAMPLE VALVE



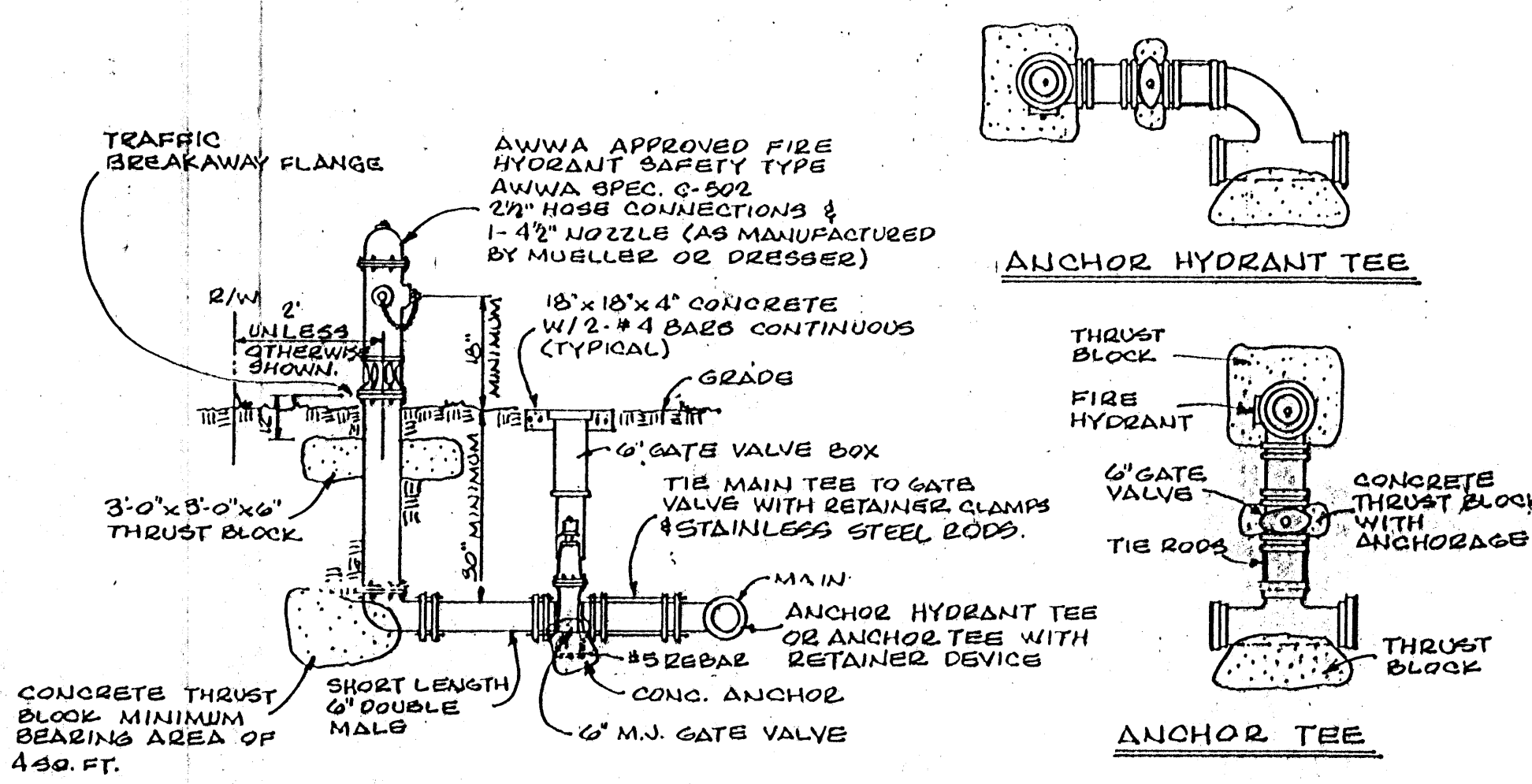
DOMESTIC & FIRE METER ASSEMBLY



VALVE SETTING



TEMPORARY BLOW OFF AND FLUSHING FIRE HYDRANT

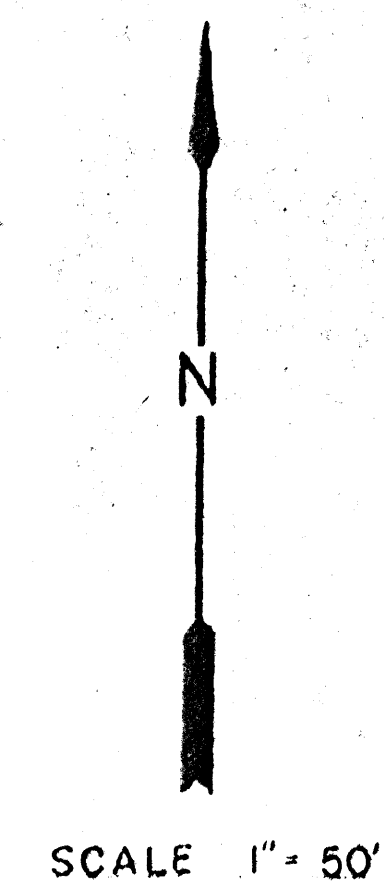


FIRE HYDRANT DETAILS

SDP-96-130

mle
mark lamoureux engineering consultants

title		
WATER SYSTEMS DETAILS		
client		
CHARLESTON SQUARE		
drawn by	scale	sheet
checked by	NO SCALE	6 of 6
approved by	date	drawing
	OCT 1996	96-1561-6
revisions		
D REVISE PER COUNTY REVIEW		



A tract of land lying in the southeast quarter (1) of Section 15, Township 48 South, Range 25 East, Collier County, Florida, more particularly described as follows:

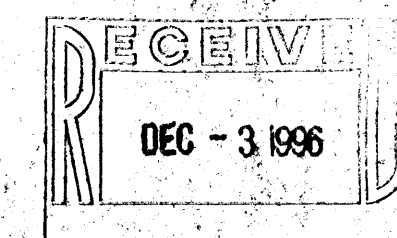
Commencing at the south quarter corner of said Section 15 run S89°56'45"E along the south line of said southeast quarter (1) a distance of 109 feet to the westerly line of a 100 foot wide Florida Power and Light easement as recorded in Deed Book 30, Page 29 of the Public Records of Collier County, Florida; thence N00°50'27"W along said westerly line a distance of 1154.33 feet to the northerly line of Imperial Golf Course Boulevard, an Ingress and egress easement recorded in O.R. Book 808, Pages 1903 through 1905 of the Public Records of Collier County, Florida and the point of beginning of the herein described tract, thence continuing along the westerly line of said Florida Power and Light easement N00°50'27"W 586.00 feet to the south line of the north 280 feet of the south half (1) of the north half (1) of the southeast quarter (1) of said Section 15; thence along said south line S89°52'04"E 672.98 feet to the easterly line of those lands described in O.R. Book 928, Pages 0009 through 0011 of the Public Records of Collier County, Florida; thence along said easterly line 571.07 feet along the arc of a curve Concave to the north-east having a radius of 22,853.30 feet, a central angle of 01°25'00" and a chord of 571.07 feet bearing S01°14'40"E to the northerly line of said Imperial Golf Course Boulevard, an ingress and egress easement; thence S89°15'00"W along said northerly line 704.65 feet to the point of beginning of the herein described tract.

The above describes an area of approximately 9.08 acres of land.

Subject to easements, restrictions, and reservations of record.

- [illegible]

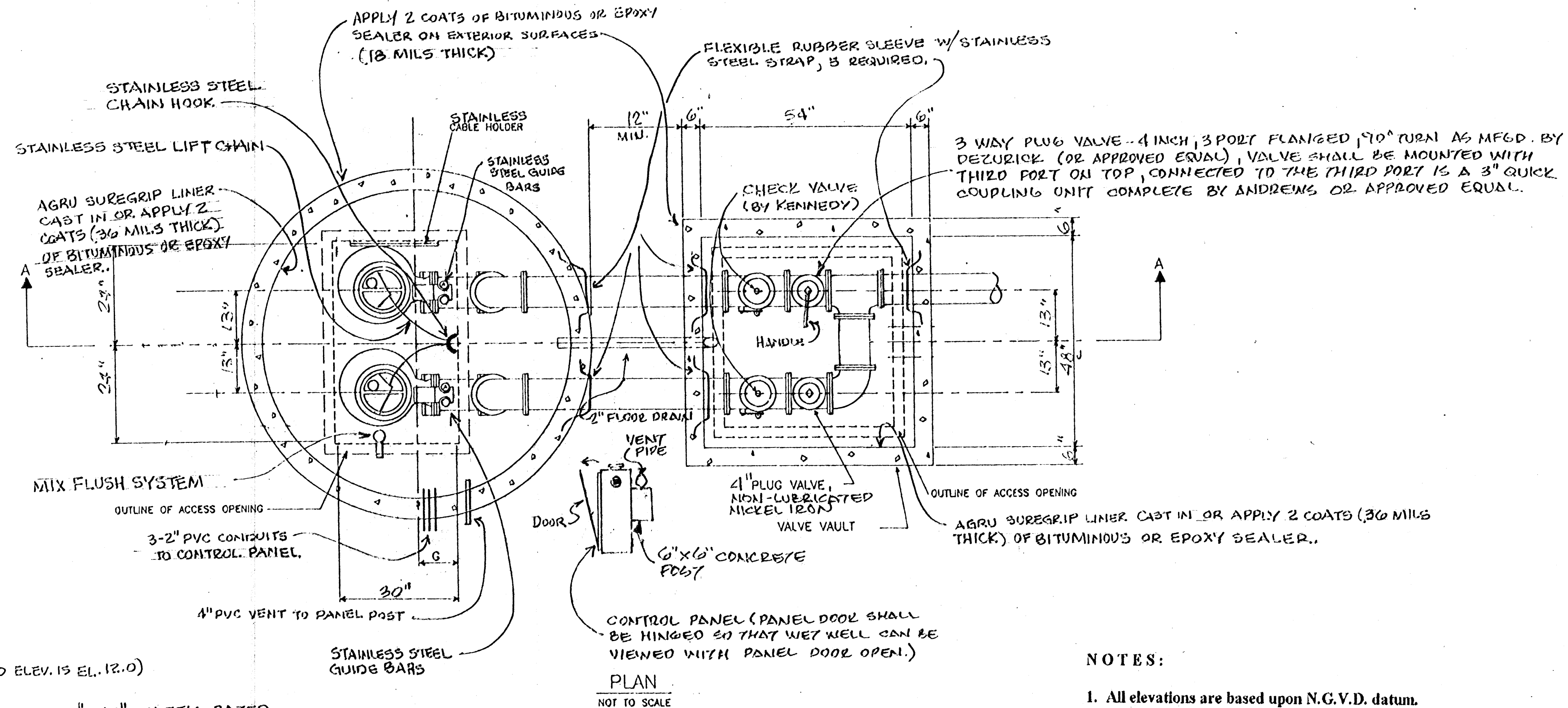
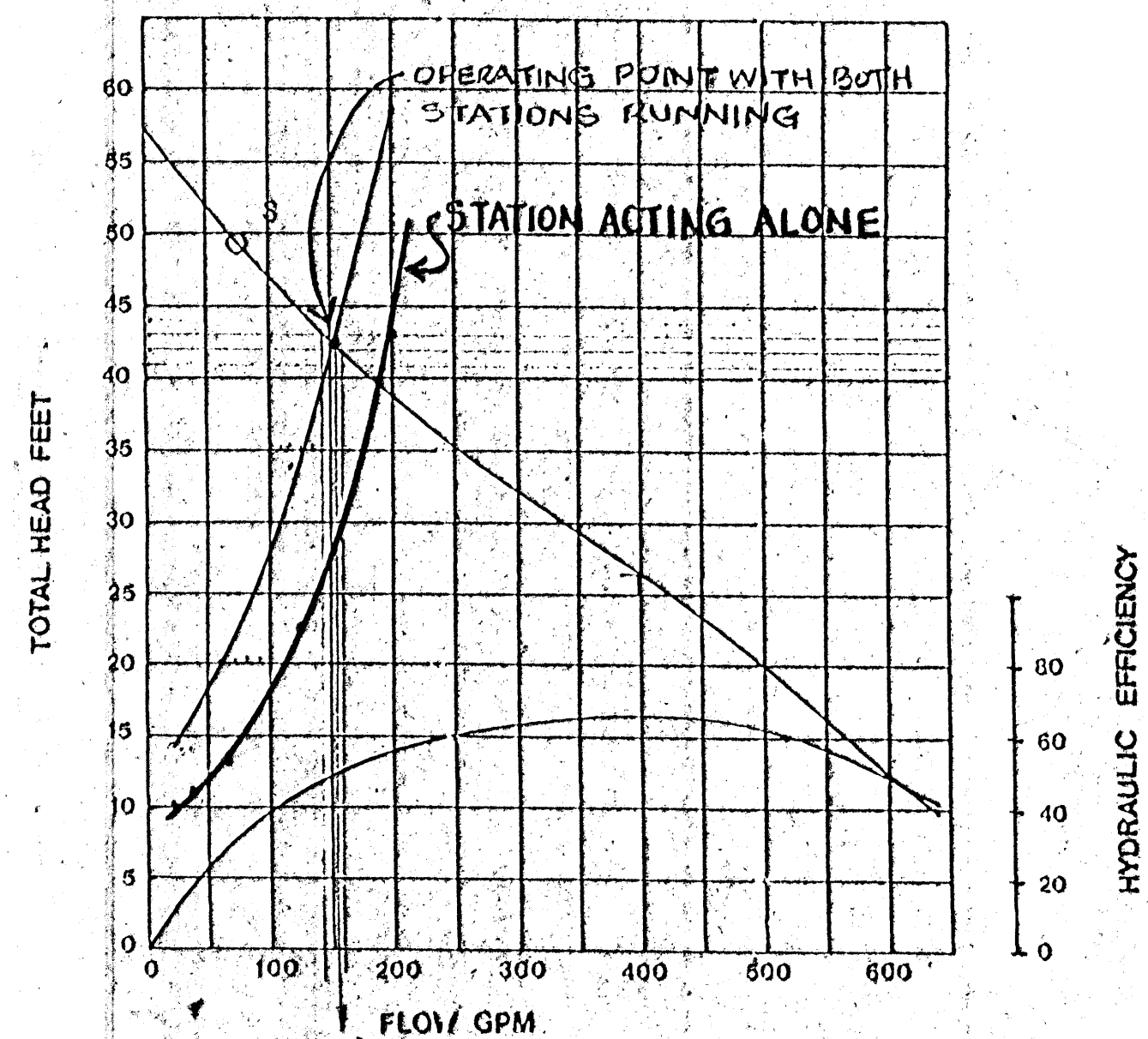
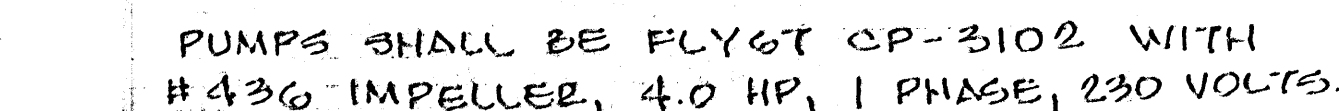
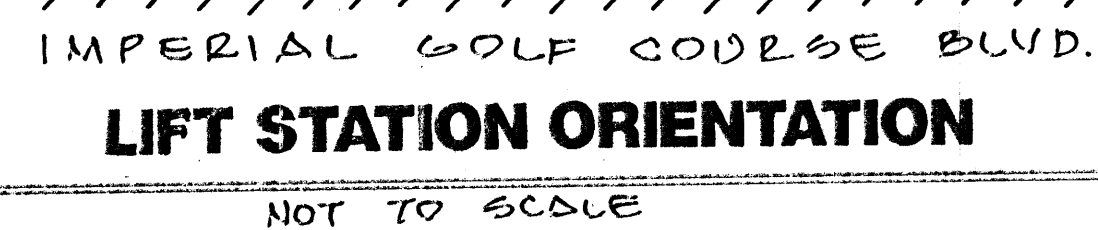
CERTIFICATE
This certifies that a survey of the property described hereon was made under my supervision and that the survey meets the minimum technical standards set forth by the Florida Board Of Professional Land Surveyors in Chapter 211-H-4, Florida Administrative Code, pursuant to Section 472.037, Florida Statutes. And, that the sketch hereon is a true and accurate representation thereof to the best of my knowledge and belief. Subject to notice and notation shown hereon.



WILLIAM McALEAR
REGISTERED LAND SURVEYOR
5974 Taylor Road Naples Fl. 33942
Telephone: (813) 587-7418

NOTE:
ELEVATIONS ARE BASED UPON BENCHMARK:
BRIDGE #4 (I.A.D.) 4/65, VERTICAL CONTROL DATA
BY THE COAST AND GEODETIC SURVEY SEA-LEVEL DATUM
OF 1929.
10.00 ± EXISTING ELEVATIONS

[illegible]



1. All elevations are based upon N.G.V.D. datum.
2. All conductors are to be copper.
3. All nuts and bolts, pump guide rails and other hardware shall be stainless steel.
4. Pump station control panel shall be positioned at 90° to the wetwell access cover opening.
5. Wetwell access covers shall be all aluminum construction, traffic rated, with stainless steel hardware and torsion bar opening device as mfg'd. by Halliday Products, or approved equal. Units considered as being equal must be approved in advance, by the Engineer.
6. Separate Conduits, with seal lock fittings, shall be provided between the pump station control panel and the wetwell for pump wiring and float wiring.
7. All control panels, pump controls, equipment and materials shall conform to Collier County Specifications.
8. Contractor shall submit shop drawings of precast concrete structures and pump station equipment for the Engineer's approval, prior to installation.
9. Contractor shall provide a non fused disconnect between the electric meter and the pump control panel.
10. The voltage drop from the utility transformer to the control panel shall not exceed 5% of the utility company's line voltage under full start up (to be verified by the electrical contractor).
11. The control panel shall be a STA-CON Model 3823 or approved equal. It shall have a NEMA type 3R enclosure with dead front inner door. Said panel shall be equipped with the standard equipment necessary to operate the specified pumps and all other station equipment. The panel shall be equipped with an alarm light and bell with silencer, elapsed time meters for each pump, lightning arrester, main circuit breaker, emergency circuit and generator receptacle.
12. ALL PENETRATIONS THROUGH CONCRETE SHALL HAVE A RUBBER BOOT WITH A STAINLESS STEEL STRAP.

S.D.P. 96-130

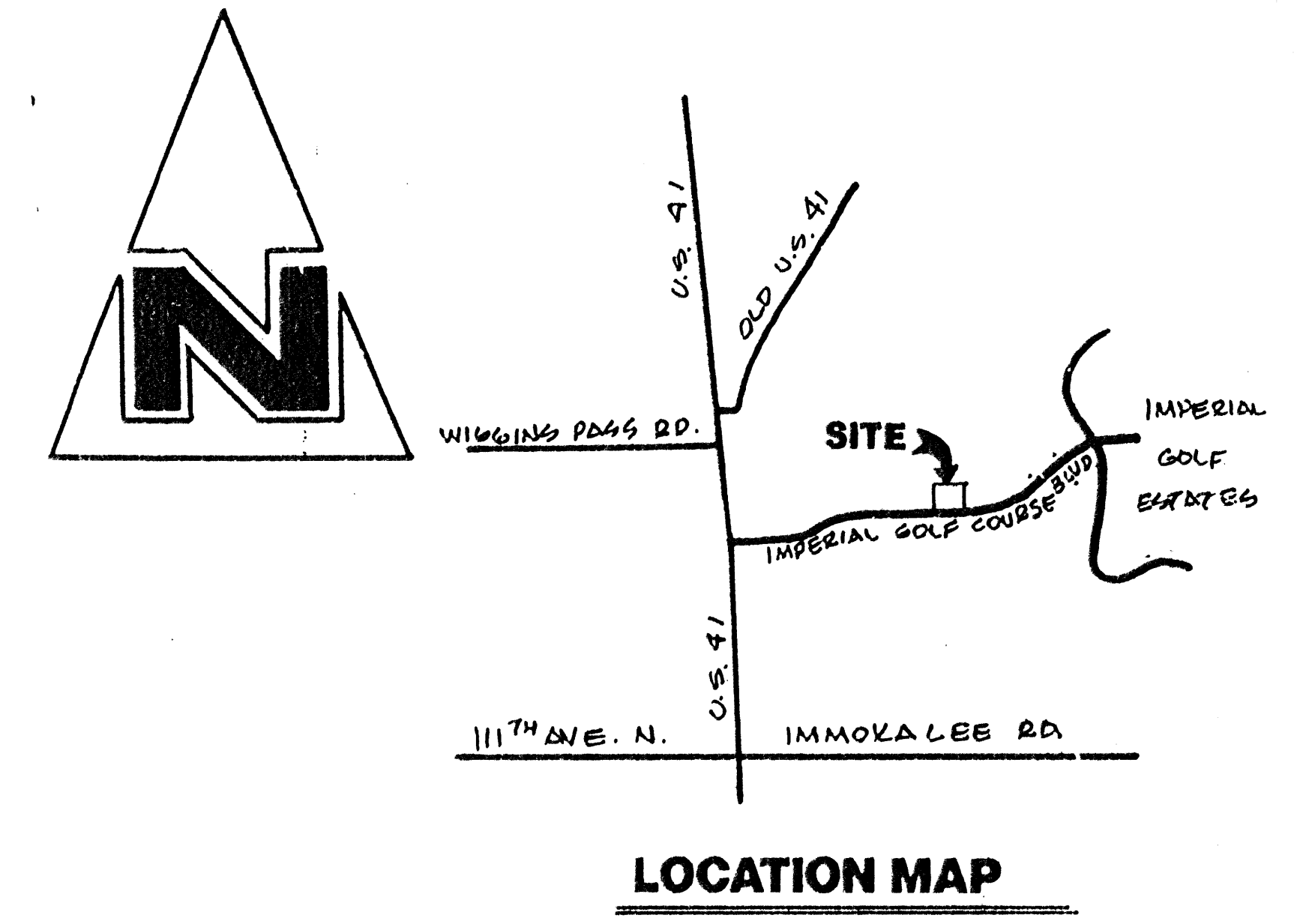
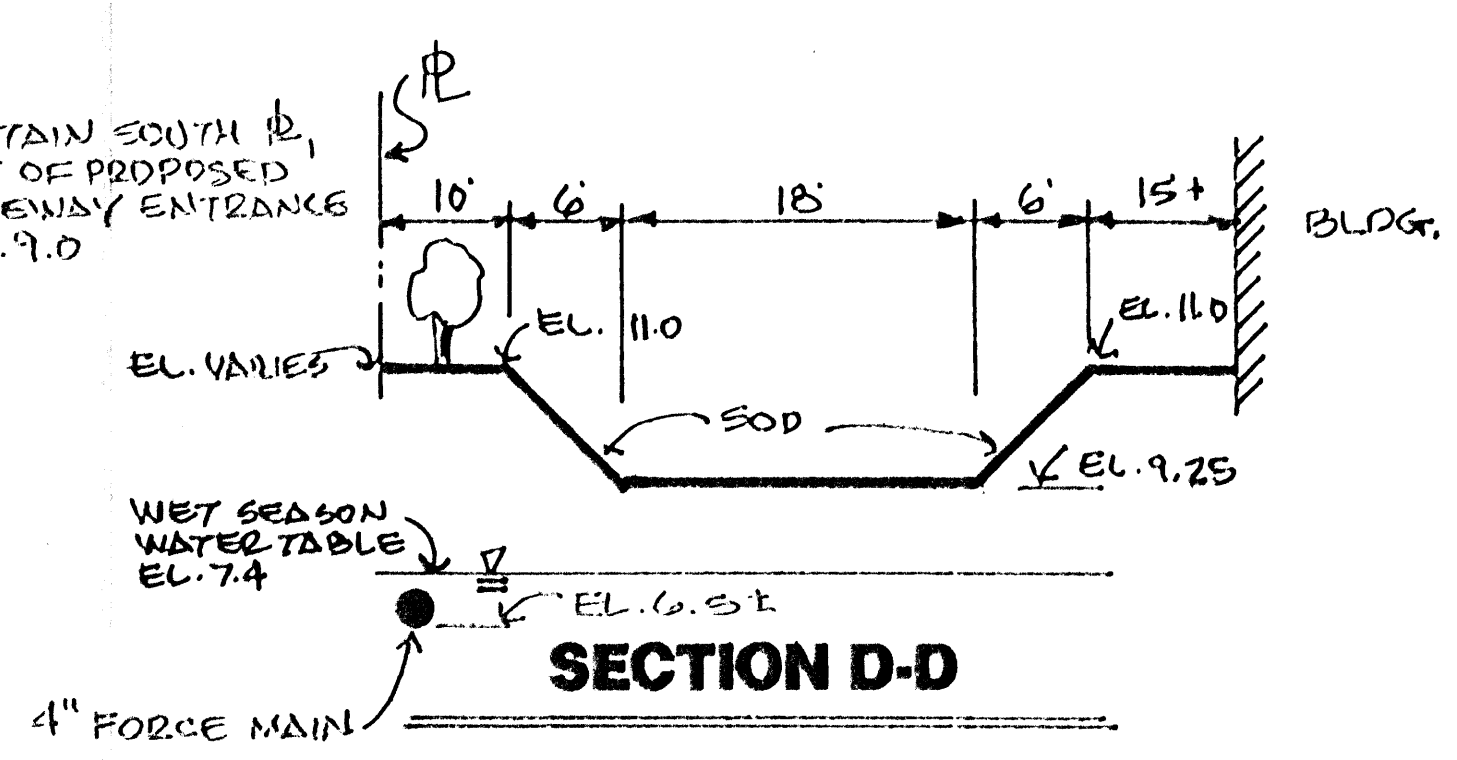
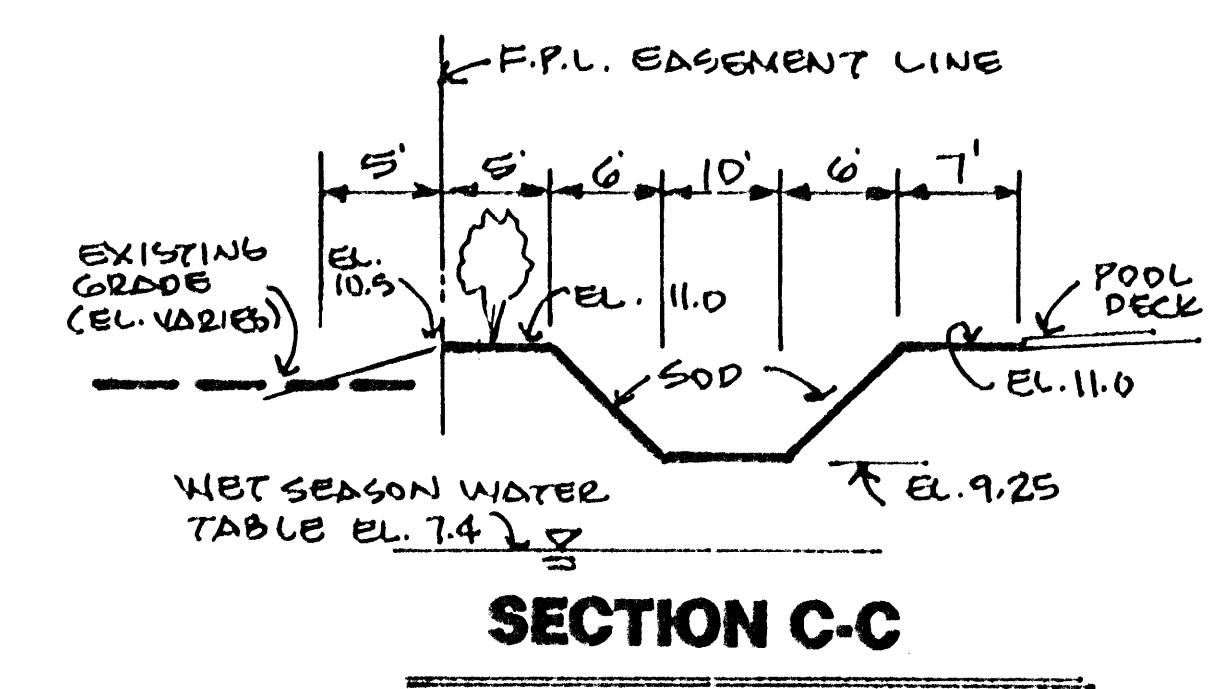
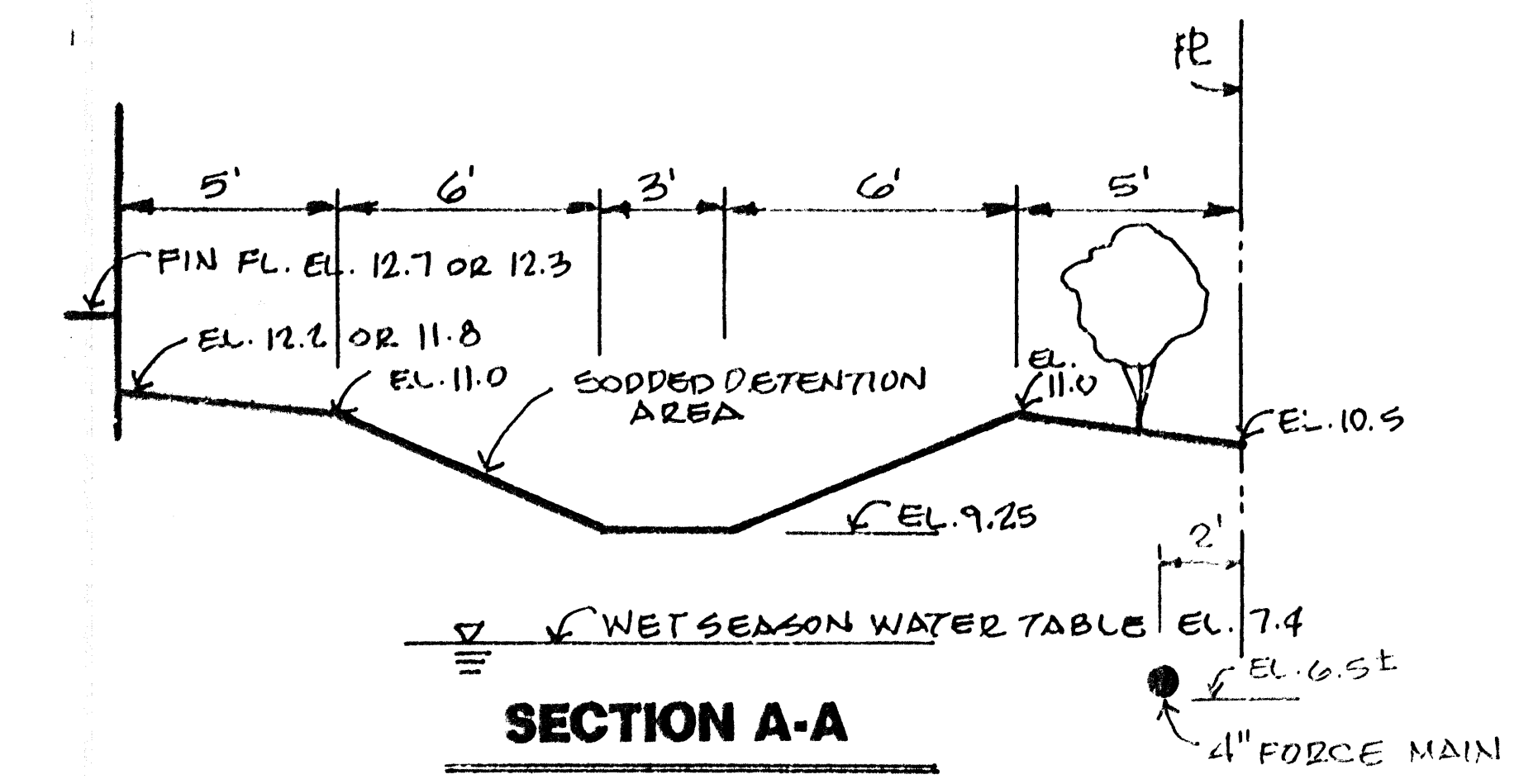
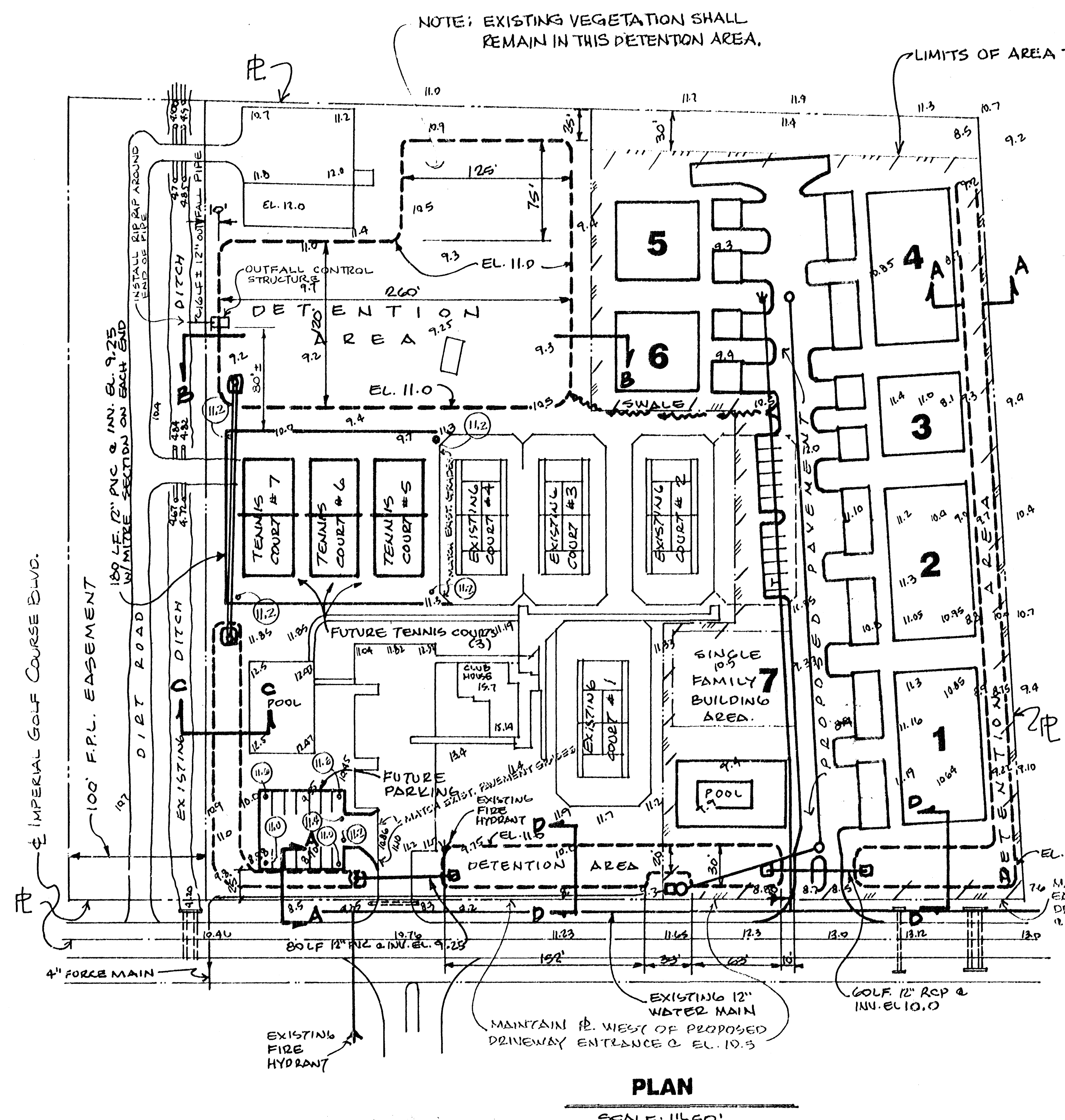
mle

mark lamoureux engineering consultants

title	SEWAGE PUMPING STATION
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ollant **CHARLESTON SQUARE**

drawn by	scale NO SCALE	sheet 5 of 6
checked by		
approved by	date OCT. 1996	drawing No 96-1561-5
revisions: ① REVISE PER COUNTY REVIEW ② REVISE PER COUNTY REVIEW		



LEGAL DESCRIPTION:

A tract of land lying in the Southeast 1/4 of Section 15, Township 48 South, Range 25 East, Collier County, Florida, more particularly described as follows:

Commencing at the South Quarter Corner of said Section 15 run S 89° 56' 45" E along the South line of said Southeast 1/4 a distance of 45.09 feet to the Westerly line of a 100 foot wide Florida Power and Light easement as recorded in Deed Book 30, Page 29 of the Public Records of Collier County, Florida; Thence N 00° 50' 27" W along said Westerly line a distance of 1154.33 feet to the Northerly line of Imperial Golf Course Boulevard, an ingress and egress easement recorded in O.R. Book 808, Pages 1903 through 1905 of the Public Records of Collier County, Florida and the Point of Beginning of the herein described tract; thence continuing along the Westerly line of said Florida Power and Light easement N 00° 50' 27" W 380.48 feet to the South line of the North 280 feet of the South 1/2 of the North 1/2 of the Southeast 1/4 of said Section 15; thence along said South line S 89° 52' 04" E 672.98 feet to the Easterly line of those lands described in J.R. Book 928, Pages 009 through 011 of the Public Records of Collier County, Florida; thence along said Easterly line 571.07 feet along the arc of a curve concave to the Northeast having a radius of 22,853.30 feet, a central angle of 01° 25' 54" and a chord of 571.05 feet bearing S 04° 01' 46" E to the Northerly line of said Imperial Golf Course Boulevard ingress and egress easement; thence S 89° 15' 00" W along said Northerly line 704.65 feet to the Point of Beginning of the herein described tract.

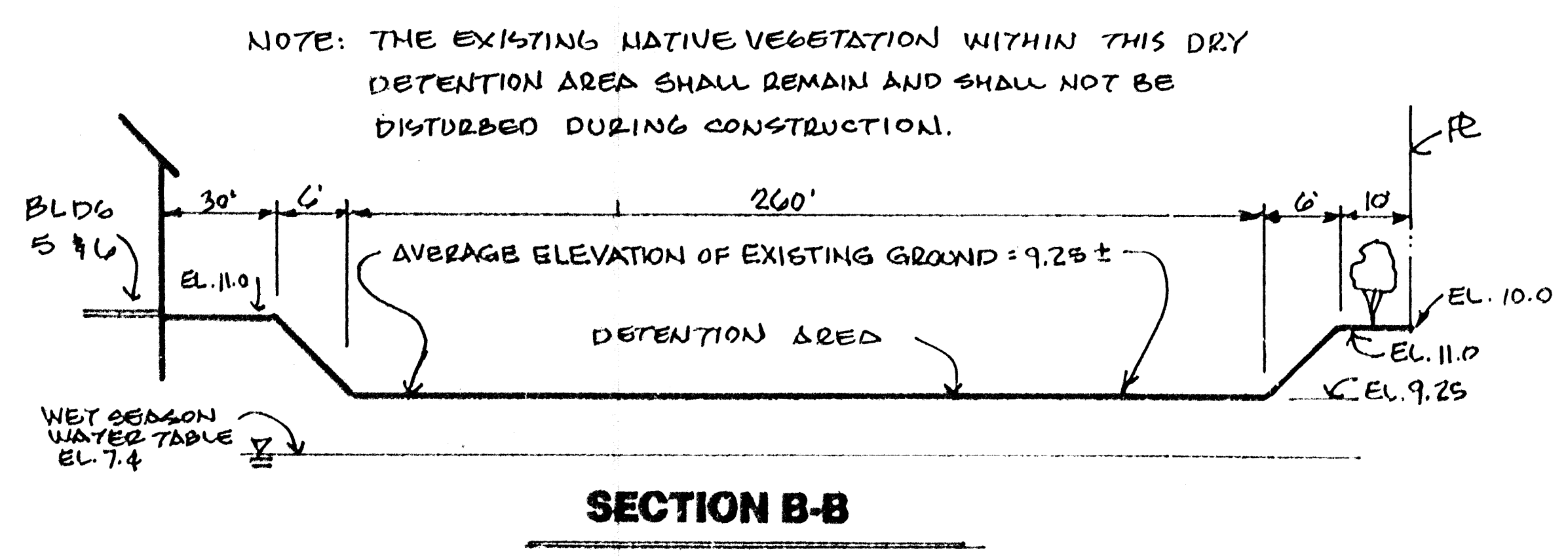
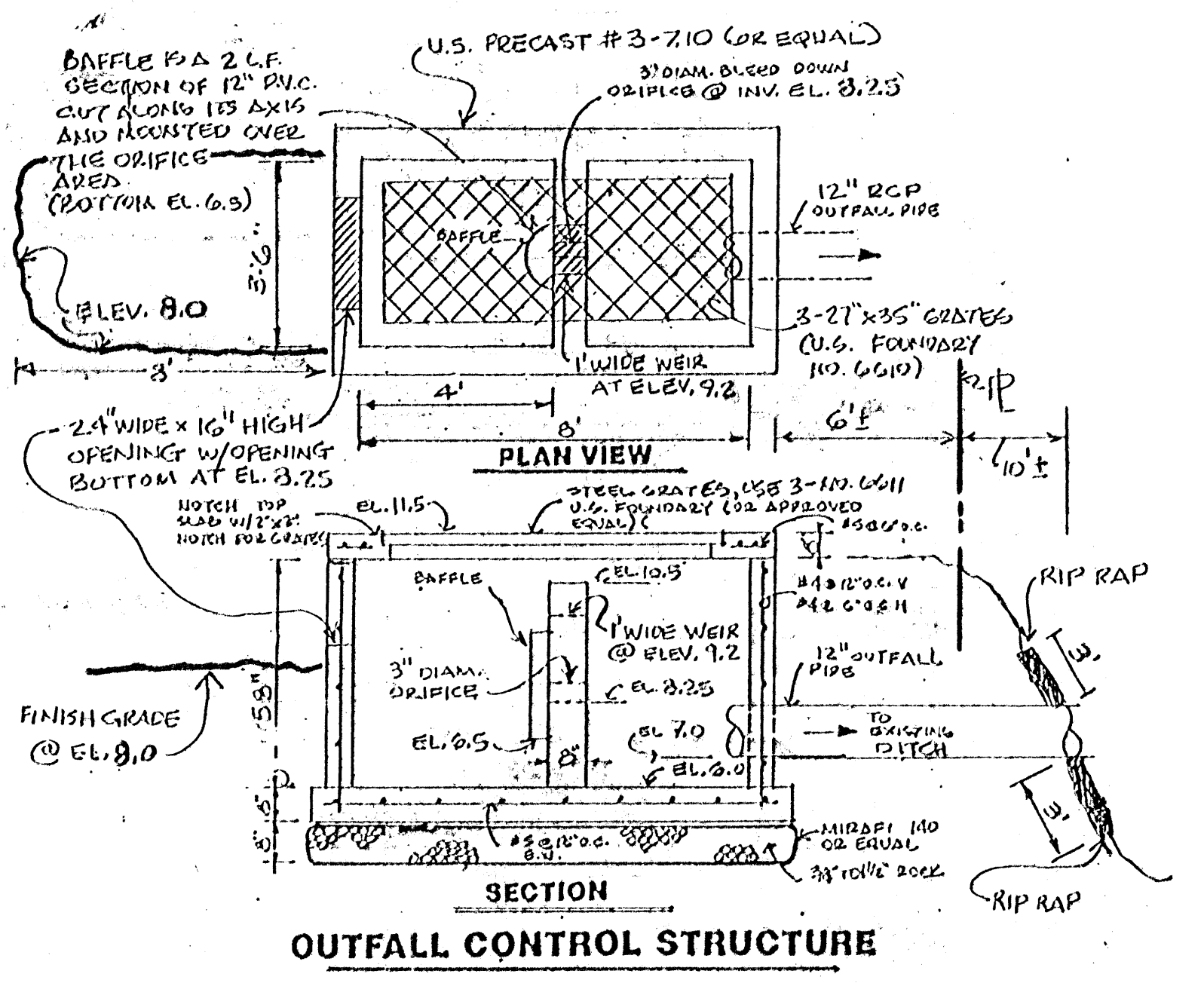
The above describes an area of approximately 9.08 acres of land AND is subject to easements, restrictions and reservations of record.

NOTES:

- The property owner shall be responsible for the maintenance of the open space and the stormwater management system on the project site.
- All existing native vegetation within the Northerly 30 feet of the property shall be retained. ONLY exotic vegetation, as defined by Collier County LDC, shall be removed from this area.
- All existing native vegetation falling within the large stormwater retention area in the NW corner of the property shall be retained.
- All exotic vegetation, as defined by Collier County LDC, shall be removed from the site. The property owner shall be responsible to perpetually maintain the project site free from exotic vegetation, in accordance with Sec. 3.9.6.6.5 of the County LDC.

APPROVED INSUBSTANTIAL CHANGE
SDP 36-130
REVIEWED BY: [Signature]
ENGINEER DATE

APR 24 1997



S.D.P. - 96-130

mle
mark lamoureux engineering consultants
870 97th avenue north, naples, florida 33983 (813) 597-5588 fax (813) 597-4060

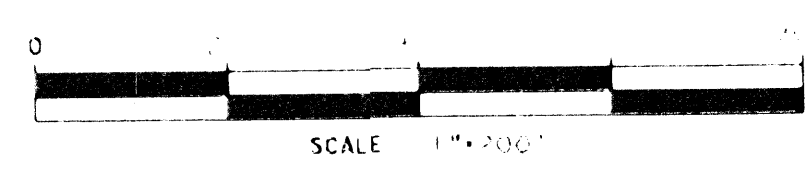
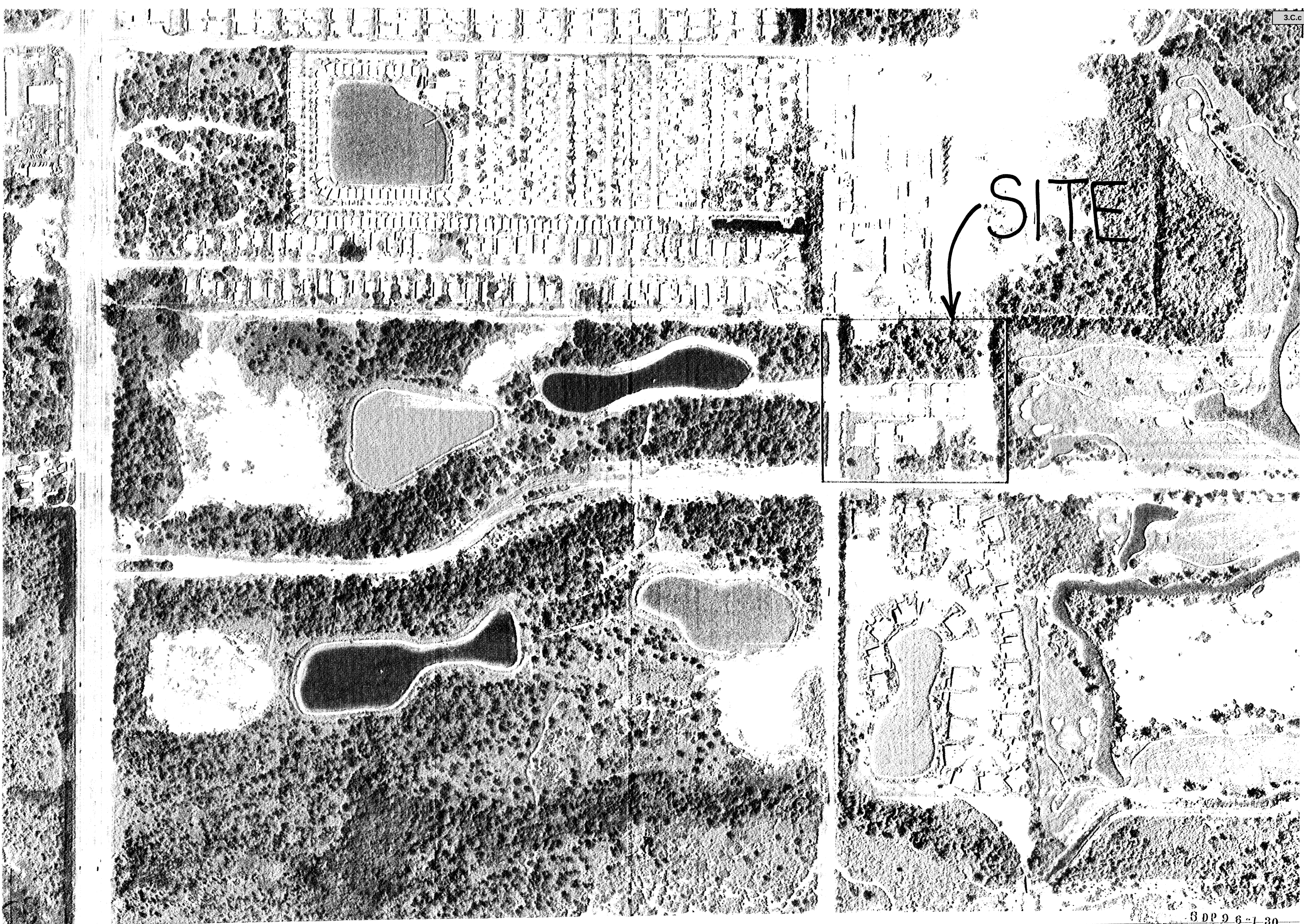
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client
CHARLESTON SQUARE

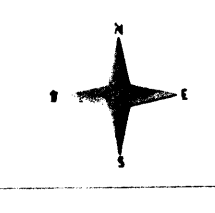
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checked by	date OCT. 1996	drawing # 96-130-1
approved by		

revisions: (1) AS PER SEWARD REVIEW
(2) REVISE CONTROL STRUCTURE (LOWER OPENING) DETAIL AND 1996 PERMIT OF ALIEN DRAINAGE AND RECORDING BY SHERIDAN
(3) REVISE PER F.D.E.P.
(4) ADD GRADES TO FUTURE TENNIS COURTS AND FUTURE PARKING

Packet Pg. 284

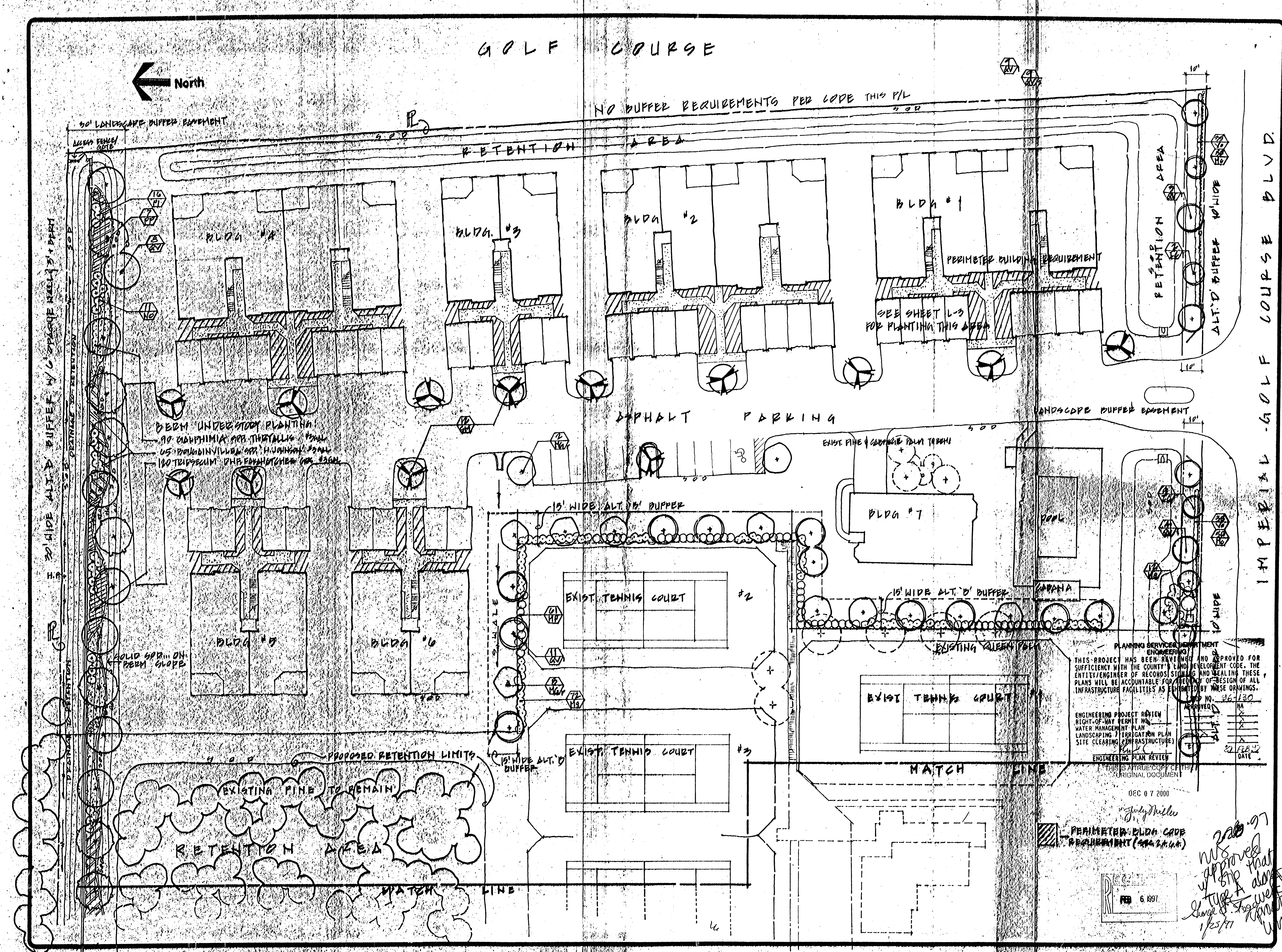


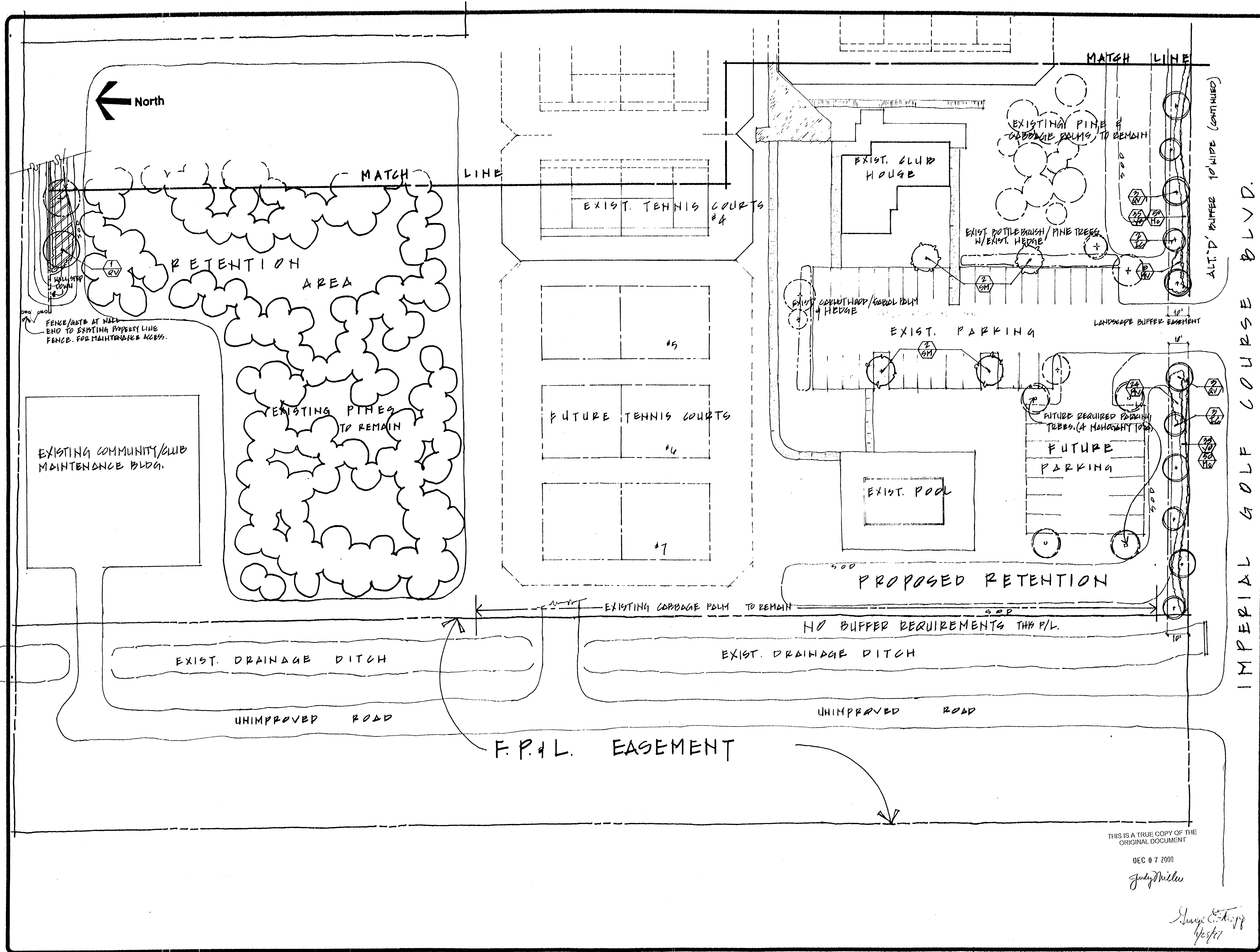
PREPARED BY THE FLORIDA DEPARTMENT OF TRANSPORTATION
FOR THE FLORIDA DEPARTMENT OF REVENUE
FOR ASSESSMENT PURPOSES ONLY



COLLIER COUNTY
FLORIDA
SEP 17 1996
PLANNING SERVICES

SCALE
PHOTO DATE
PHOTO NO.





REVISIONS	BY

CHARLESTON SQUARE
GRAND DAY BUILDING & DEVELOPMENT
COLLIER COUNTY L.D.C. — LANDSCAPE PLAN

IMPERIAL GOLF COURSE BLVD.
HAPLES
FLORIDA

DRAWN	LS
CHECKED	LS
DATE	25 NOV 96
SCALE	1" = 20'
JOB NO.	
SHEET	
#726	L-2

LANDSCAPING CALCULATIONS FORMAT

- I. INTERIOR LANDSCAPING (Section 2.4.5.2)
 10% x 24419 S.F. = 2442 S.F. + 250 = 2692 Trees
 (Pavement Area) (Required Interior Landscaping Area) (#Trees Required)
- INTERIOR LANDSCAPING FOR SHOPPING CENTERS (Section 2.4.7.1.)
 5% x N/A S.F. = N/A S.F. - 250 = N/A Trees
 (Pavement Area) (Required Interior Landscaping Area) (#Trees Required)

*Includes 1 island after every 10 parking spaces. When extra space is used to preserve a tree, then 1 island after 15 parking spaces.

*Regular islands > 8 ft. wide, compact islands > 7 ft.

Curbing or permanent barriers shall be provided around all islands.

- II. RIGHT-OF-WAY LANDSCAPING (ALT. D)
 Section 2.4.7.4) TYPE "D" - 10, 15, or 20 ft. Buffer Width
 592 L.F. + 30 = 622 Trees
 (Perimeter of 1 Tree per 30 ft.) (# Trees Required)
 Site Adj. to R.O.W.)

+ Double Staggered Rows of Shrubs (24" HT.) Between Vehicular Use Areas and R.O.W. (2 rows of shrubs, with plants in individual rows: 3' o.c., and rows 4' o.c.)

- III. PERIMETER BUFFERING (ALTERNATIVES "A, B, C")
 (Section 2.4.7.4 & Table 2.4)
 TYPE "B" - Minimum Width = 15ft.
 845 L.F. + 25 = 870 Trees
 (Perimeter L.F.) (1 Tree per 25 ft.) (# Trees Required)

+ 6 ft. tall wall, fence, hedge, berm or combo

- IV. BUILDING PERIMETER PLANTINGS
 (Section 2.4.6.4.)
 6840 S.F. x 10% = 684 S.F.
 (Building S.F.) (Planting Area Required)

+ 6 ft. tall wall, fence, hedge, berm, or combo

- V. SHOPPING CENTER GREENSPACE N/A
 (Section 2.4.5.4., in addition to 2.4.5.2.)
- VI. TREE CREDITS FOR PRESERVED TREES N/A
 (Sections 2.4.4.14)

- VII. TREES & SHRUBS
 (Sections 2.4.4.2, 2.4.4.3)

a. Trees < 50% > 8', 1 1/2" cal., 3' sprd.
 75% Native
 < 50% > 10', 1 3/4" cal., 4' sprd.
 75% Native Trees Required x 75% = 42 Native Trees Required
 71 Native Trees Provided

b. Shrubs < hedges > 24" ht., 36" o.c. > 50% Native
 < buffer screen > 6' ht.
 473 Shrubs Required x 50% = 237 Native Shrubs Required
 224 Native Shrubs Provided

- VIII. MINIMUM LANDSCAPING REQUIREMENTS
 (Section 2.4.6) (Note: Buffer and interior vehicular use area requirements may be counted towards this requirement).

a. Multi family:
 30120 S.F. ÷ 2,000 = 15 Trees Required

b. Industrial and commercial:
 N/A S.F. ÷ 3,000 = N/A Trees Required

- IX. Mulch
 (Section 2.4.4.5)
 140 C.Y. Required x 25% = 35 C.Y. Cypress Mulch Max.
 0 C.Y. Cypress Mulch Provided

TYPE AND DEPTH OF MULCH TO BE PROVIDED

No Cypress mulch is to be utilized.

NOTES:

1. The property owner shall be responsible for the maintenance of the open space and the stormwater management system on the project site.

2. All existing native vegetation within the Northern 30 feet of the property shall be retained. ONLY exotic vegetation, as defined by Collier County LDC, shall be removed from this area.

3. All existing native vegetation falling within the large stormwater retention area in the NW corner of the property shall be retained.

4. All exotic vegetation, as defined by Collier County LDC, shall be removed from the site. The property owner shall be responsible to perpetually maintain the project site free from exotic vegetation, in accordance with Sec. 3.9.6.6.3 of the County LDC.

5. ALL REQUIRED LANDSCAPE MATERIAL SHALL BE FLORIDA #1 OR BETTER.

6. TREE STAKES ARE TO BE REMOVED WITHIN 1YR. OF INSTALLATION.

7. ALL REQUIRED PLANTING HAVE BEEN CHOSEN TO PERPETUATE ITSELF IN THE LOCATION SHOWN. MATERIAL SHALL BE PRUNED ONLY TO MAINTAIN THEIR HEALTH & VIGOR.

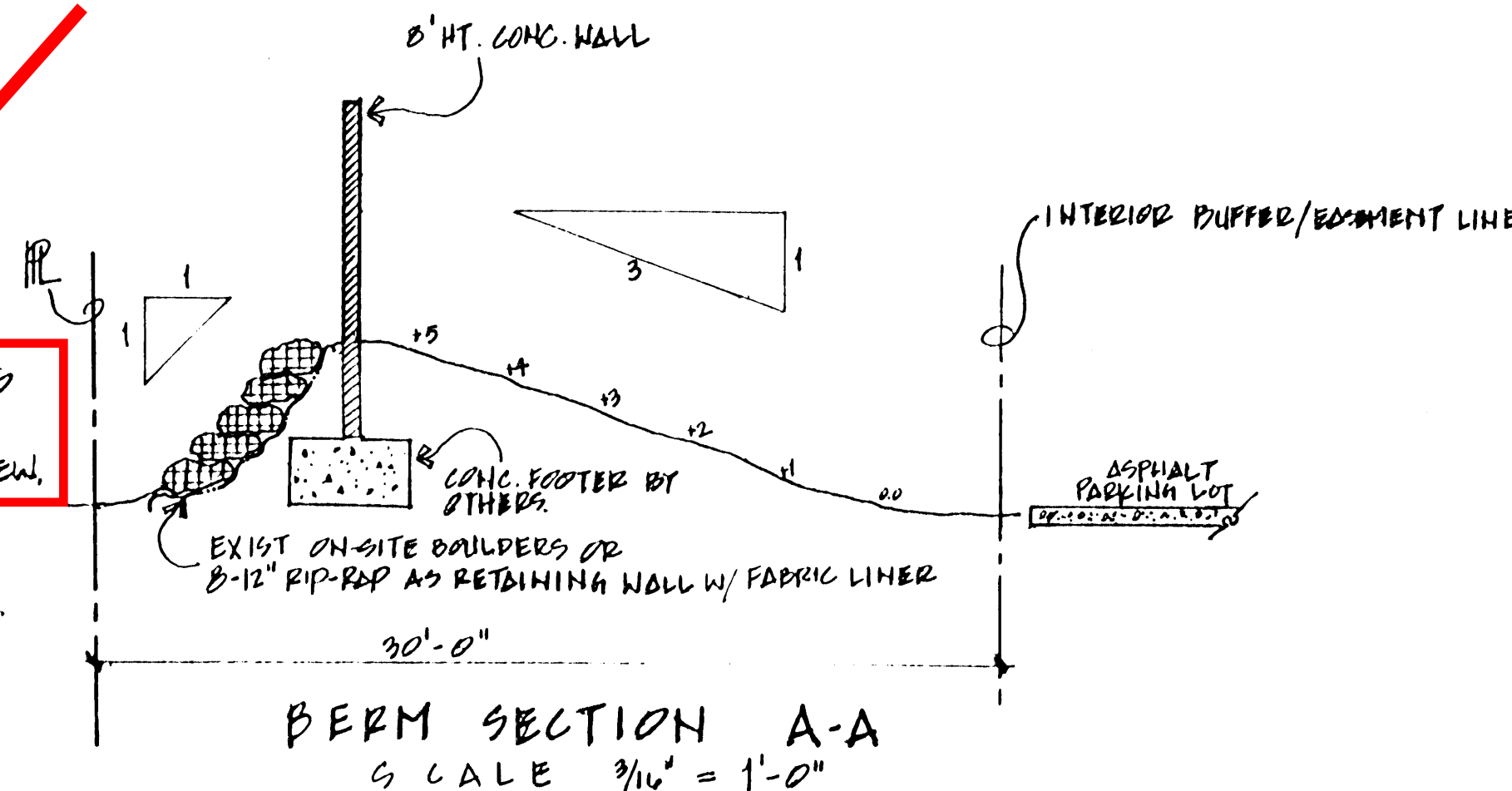
8. ALL SHRUBS ARE TO BE MAINTAINED IN THEIR NATURAL FORMS AS MUCH AS IS POSSIBLE. REQUIRED VEHICULAR SCREEN PLANTINGS ARE TO BE MAINTAINED AT LEAST A MIN. OF 3' IN HEIGHT OR TALLER FROM ARE TO BE SCREENED.

No record found of variance.
 May have been approved administratively.

GENERAL NOTES:

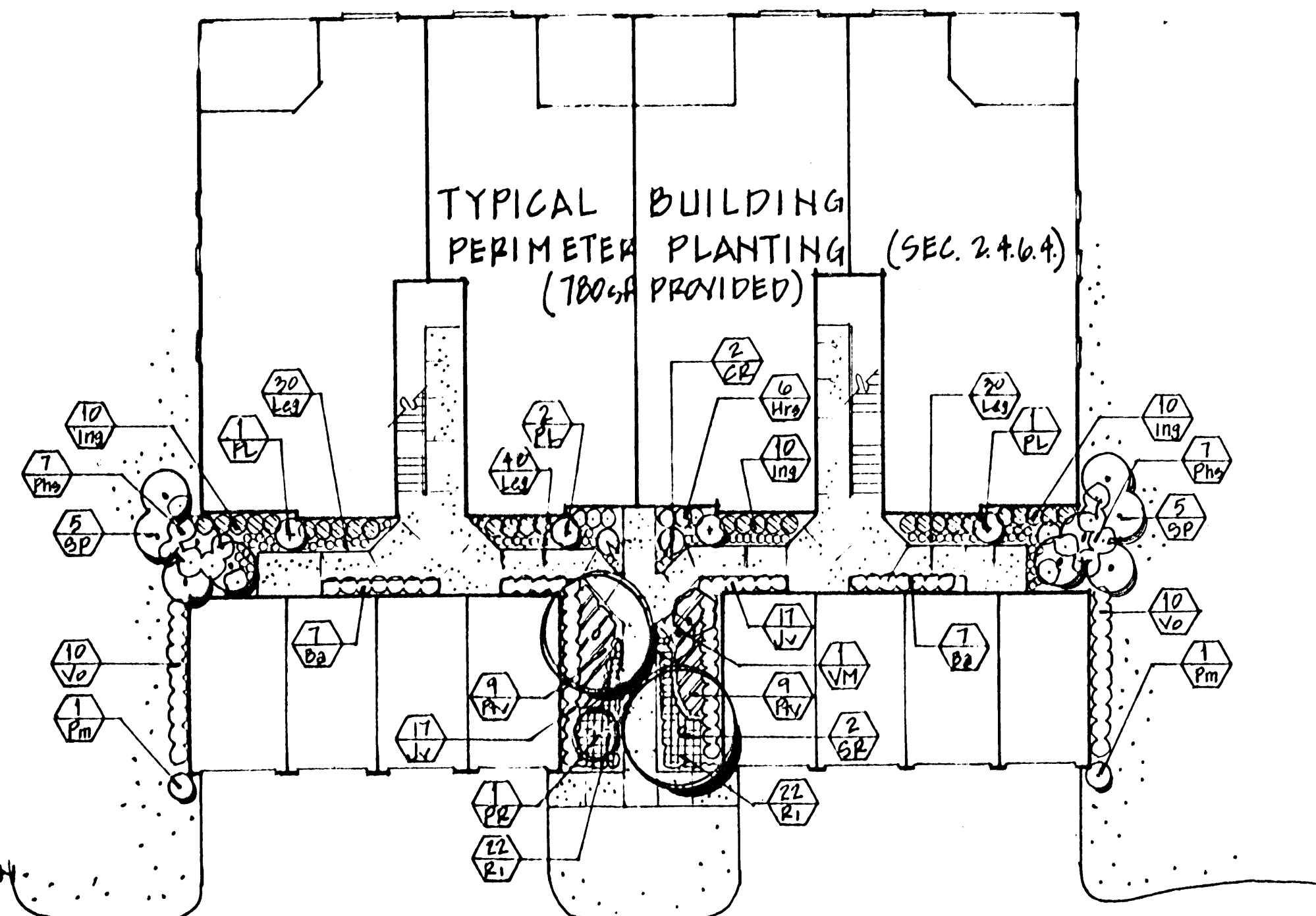
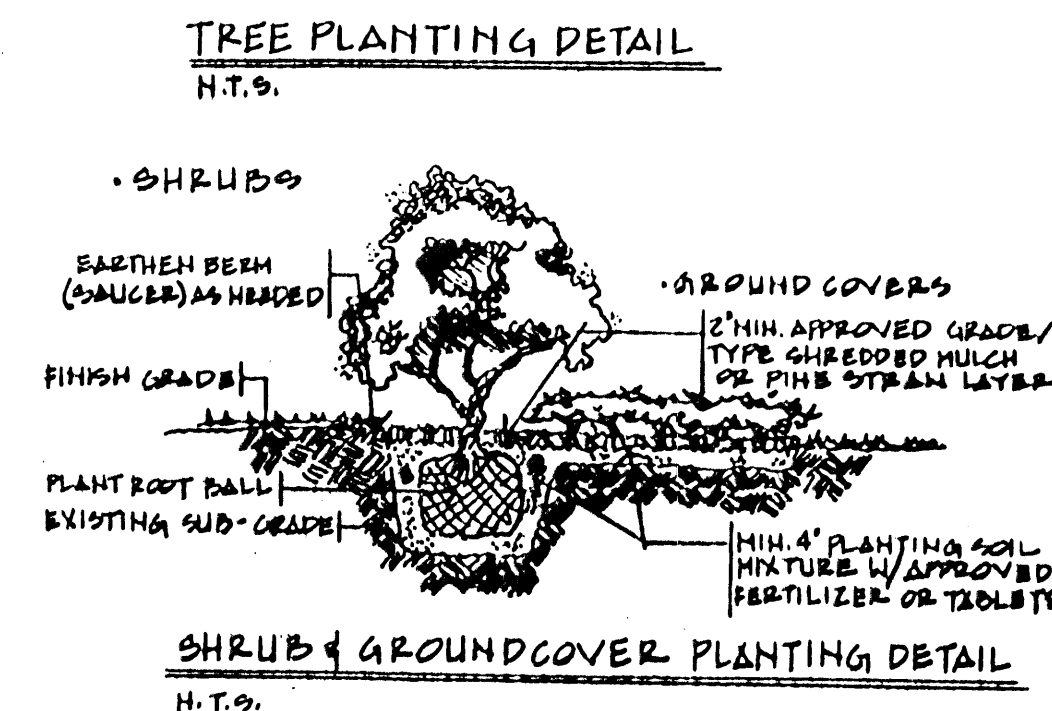
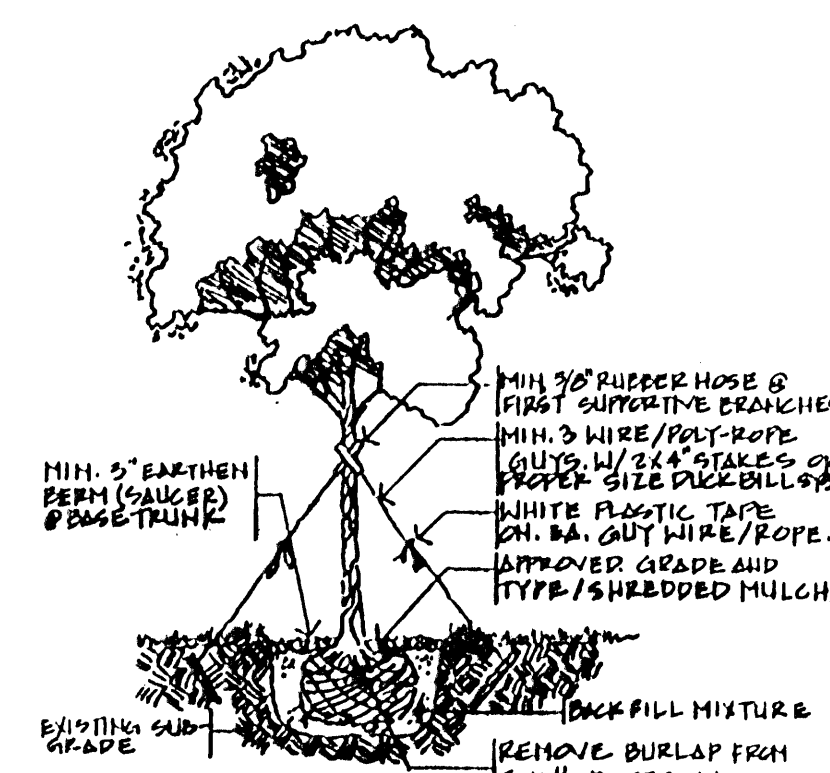
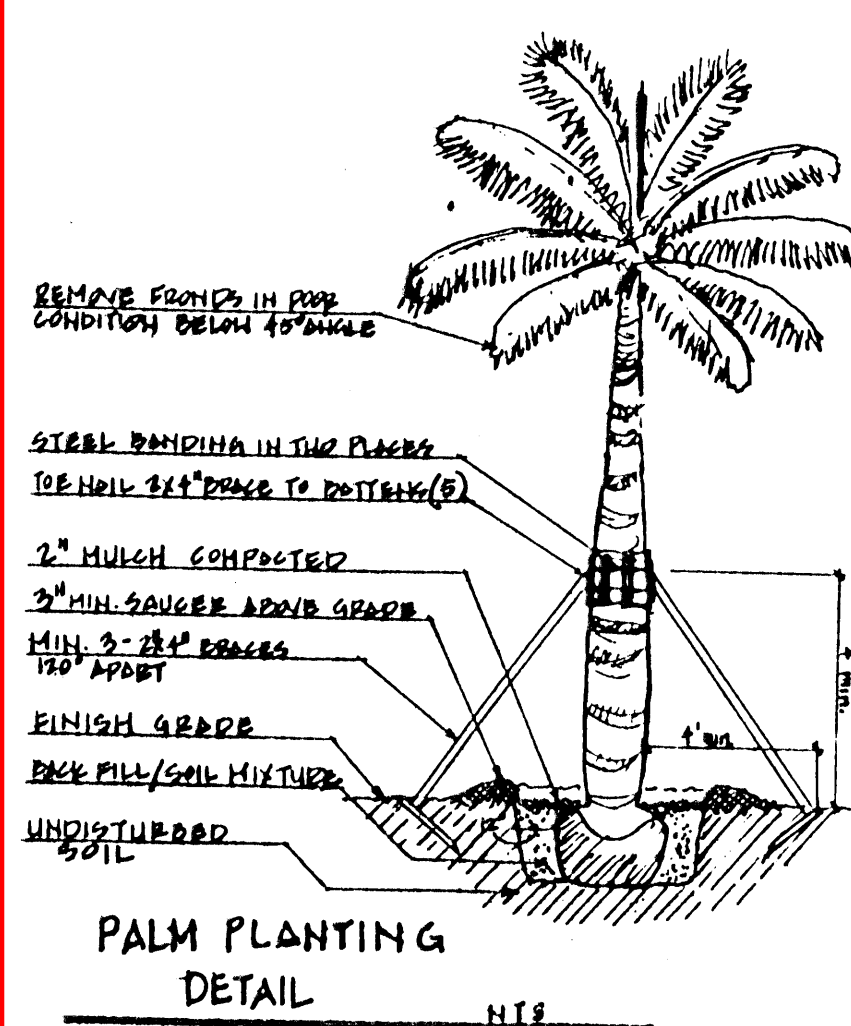
BERM/WALL COMBINATION SHOWN IS SUBJECT TO VARIANCE APPROVAL OR CONDITIONS SET FORTH BY COUNTY REVIEW.

FINAL STRUCTURAL PLAN FOR BERM/WALL COMBIN. BY PROJECT ENGINEER.



OVERALL SITE PLANT MATERIAL

QTY	SYM	DESCRIPTION		QUAL	SPEC	NATIVE
HIGH	QV	QUERCUS VIRGINICA	LIVE OAK	9	10'10" X 10' gpr, 5" cal	YES
HIGH	MGR	MAGNOLIA GRANDIFLORA	GO. STAR MAGNOLIA	10	10'1" X 4" gpr 1 3/4" cal.	YES
HIGH	QV'	QUERCUS VIRGINICA	LIVE OAK	24	12'1" X 5' gpr 2" cal.	YES
HIGH	SM	SWIETENIA MAHONIANA	MAHONIA	17	10'1" X 4" gpr #25 cal	YES
MODER	MC	MYRTICA CERIFERA	WAX MYRTLE	40	6-7'1" #15 cal	YES
MODER.	IC	ILEX CASSINE	DOGWOOD HOLY	11	8-10'1" #25 cal	YES
MODER.	MG	MYRSINE GUAYANENSIS	RAPUNEA	24	3-4'1" #10 cal	YES
MODER.	MC	MYRTICA CERIFERA	WAX MYRTLE	200	24-30" HT #3 cal	YES
HIGH	VO	VIBURNUM DOUGLASSII	WALTER'S VIBURNUM	140	24-30" HT #3 cal	YES
HIGH	PTV	PITTOSPORUM VARIIGATUM	VARIIGAT. PITTOSPORUM	42	18-24" HT #3 cal	NO
MODER	PP	PONGAMIA PINNATA	PONGAM	7	14-16' HT X 10" gpr	NO
MODER.	MP	MYRSINANTHES FRAGRANS	SIMPSON'S STOPPER	61	36-40" HT #7 cal	YES
LOW	PI	PSIDIUM CATTLEIANUM	GUAVA	16	3'-3 1/2' HT #10 cal	NO
HIGH	NO	NERIUM OLEANDER	OLEANDER 'CALIFOR'	11	3'-3 1/2' HT #7 cal	NO



TYPICAL 8 UNIT BUILDING

SYM	DESCRIPTION	QUAL	SPEC
QR	STAGNUS SPR. QUEEN PALM	2	10'-12' GPR
SP	SOPAL SPR. CARPENTER PALM	10	10'-12' GPR
PP	PHOENIX SPR. PYGMY DATE PALM	1	5'-6' GPR
VM	VIETCHIA SPR. DRONIDIA PALM	1	7'-10' GPR
PL	PSIDIIUM SPR. GUAVA	4	5'-6" #15 CAL
CR	CYCAS SPR. KING GARD	2	20" HT #1 CAL
Pm	PODOCARPUS SPR. JAPANESE YEW	2	4'-5' GPR #12 CAL
BA	BREXIA SPR. DREXICOLA	14	#3 CAL
JV	JASMINE SPR. YOUNG WAX LEAF	34	#3 CAL
PTV	PITTOSPORUM SPR. VARIAT. PITTOS	10	#3 CAL
ING	IXORA SPR. NORD GRANT	30	#3 CAL
VO	VIBURNUM SPR. ORBICULATUM	20	#3 CAL
Ri	RAPHIOLEPS SPR. PINK INDIAN HANTHORN	44	#3 CAL
Phs	PHILODENDRON SPR. SELLOUM	14	#3 CAL
Hrs	HIBISCUS SPR. SEMIHOPE PINK	6	#3 CAL
Lcg	LIRIOPE SPR. EV. GRN. GIANT	100	#1 CAL

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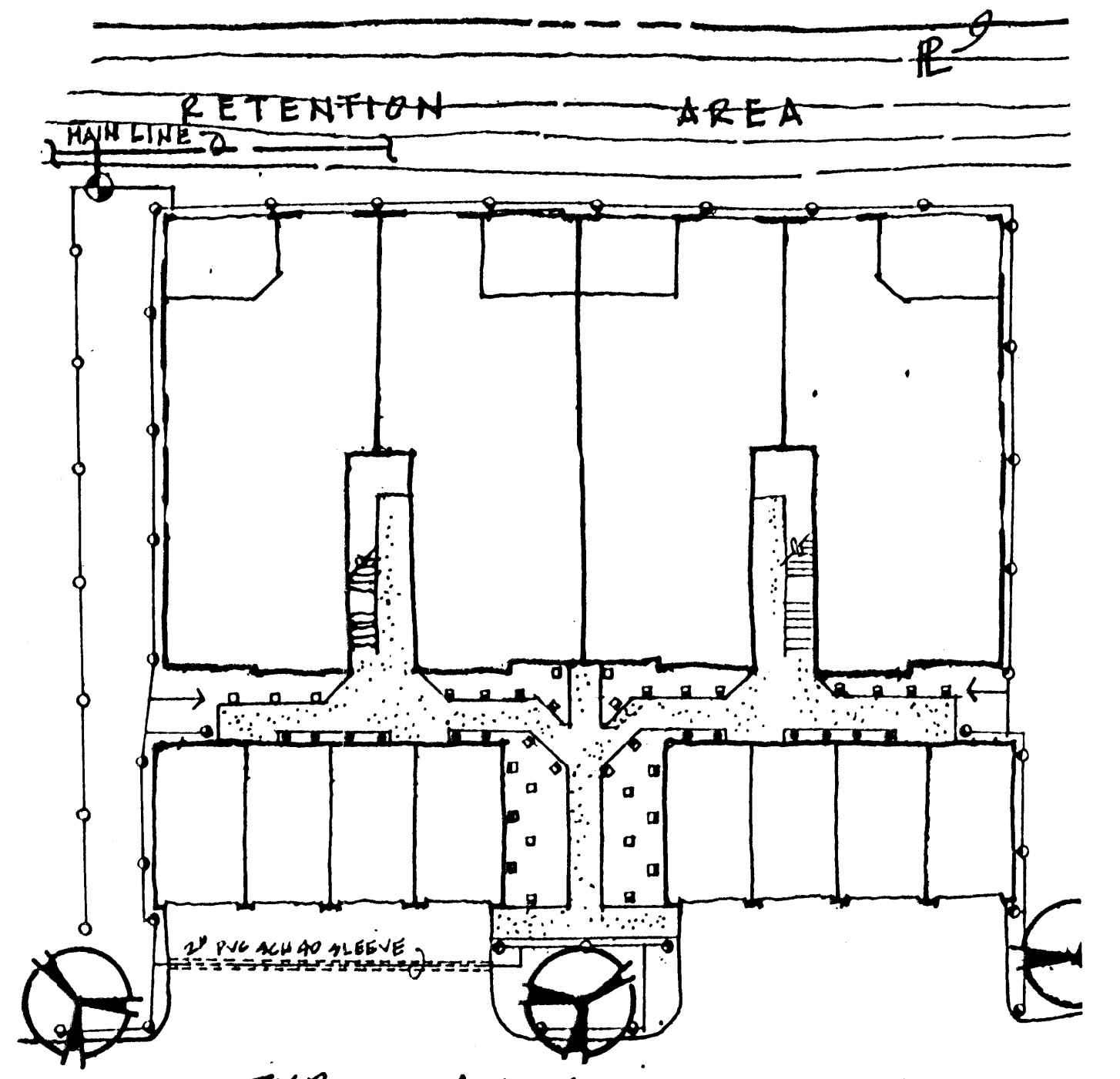
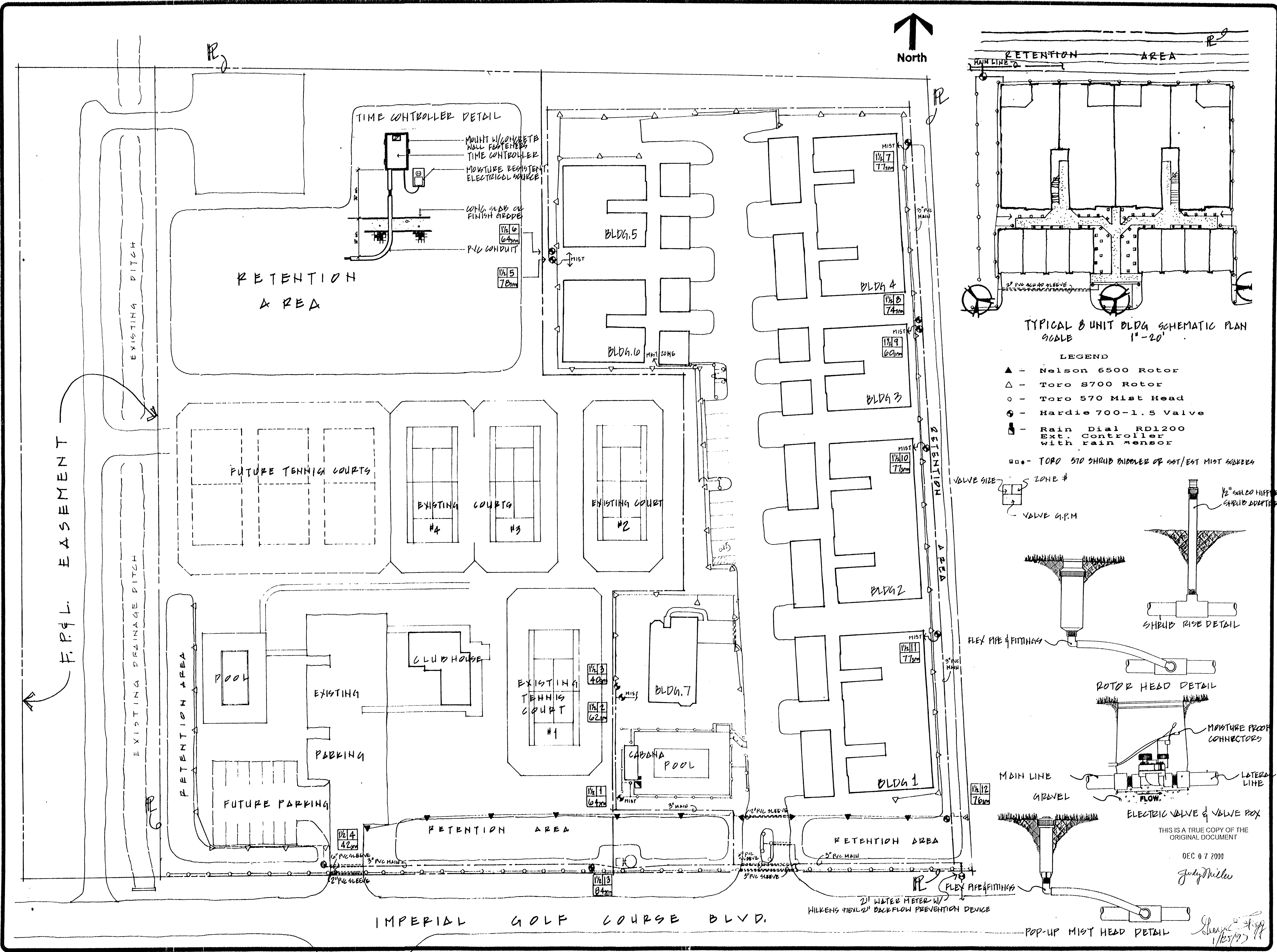
DEC 07 2000

Judge Miller

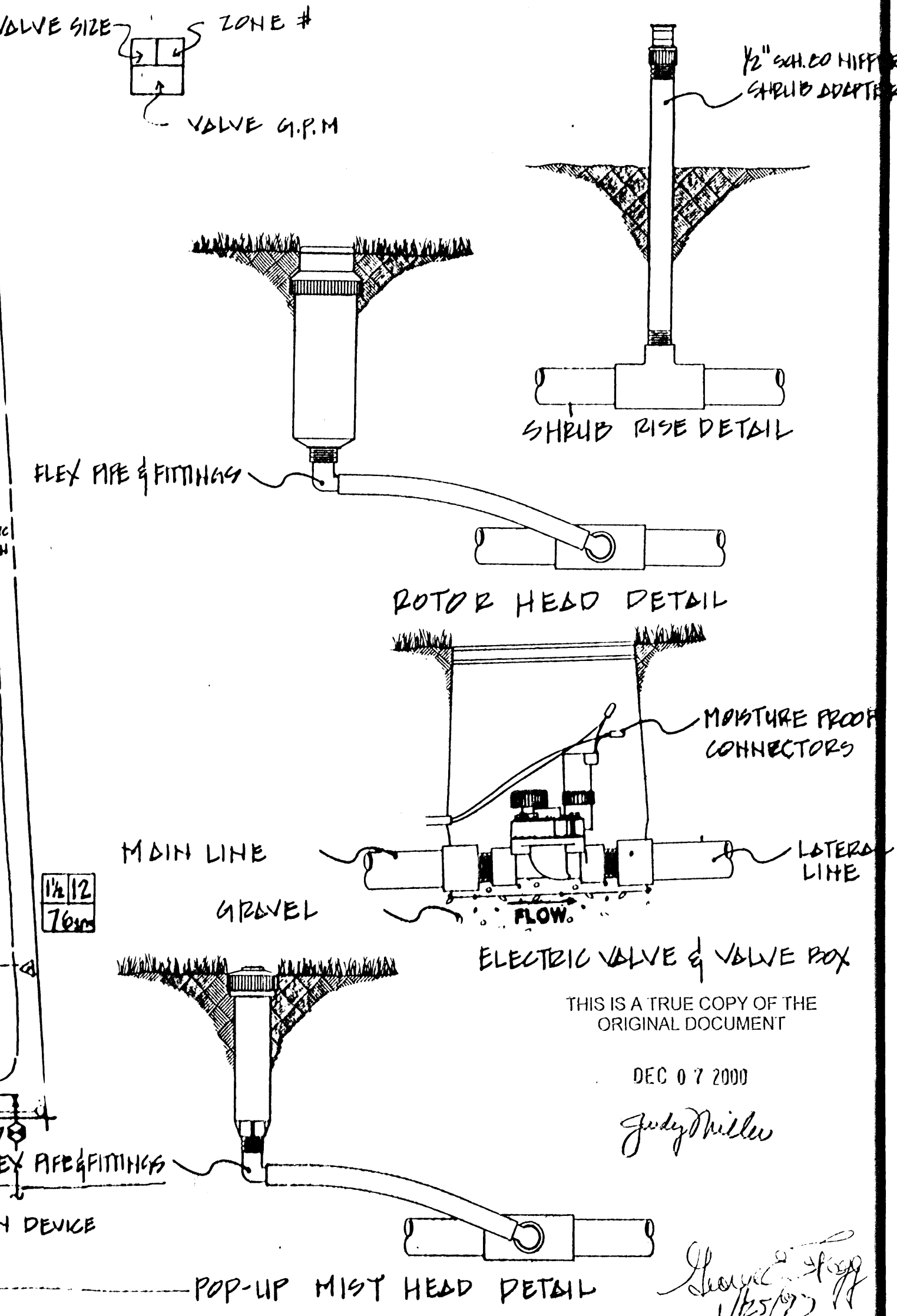
REVISIONS	BY

CHARLESTON SQUARE
 GRAND BAY BUILDING & DEVELOPMENT
 COLLIER COUNTY L.D.C. PLAN
 IMPERIAL COUNTRY CLUB
 IMPERIAL GOLF COURSE BAY FLORIDA
 HAPLES

DRAWN LBS	CHECKED G. FARM
DATE 25 JAN 96	SCALE 1" = 20'
JOB NO.	SHEET #726 L-3
OF	SHEETS



- LEGEND
- ▲ - Nelson 6500 Rotor
 - △ - Toro S700 Rotor
 - - Toro 570 Mist Head
 - ⊕ - Hardie 700-1.5 Valve
 - ⊞ - Rain Dial RD1200 Ext. Controller with rain sensor
 - ⊞ - TORO 570 SHRUB RIDDER OR SST/EST MIST RIDDER



REVISIONS	BY

CHARLESTON SQUARE
GRAND DAY BUILDING & DEVELOPMENT
COLLIER COUNTY L.D.C. — IRRIGATION SCHEMATIC PLAN
IMPERIAL GOLF COURSE BLVD
HAPLES
FLORIDA

THIS IS A TRUE COPY OF THE ORIGINAL DOCUMENT

DEC 07 2000

Judy Miller

726 I-1

OF SHEETS



CORRECTION REQUEST
NEW SUBMITTAL (SUB 1)
4/23/2020
STORMWATER
NORTH PROPERTY PROFILE



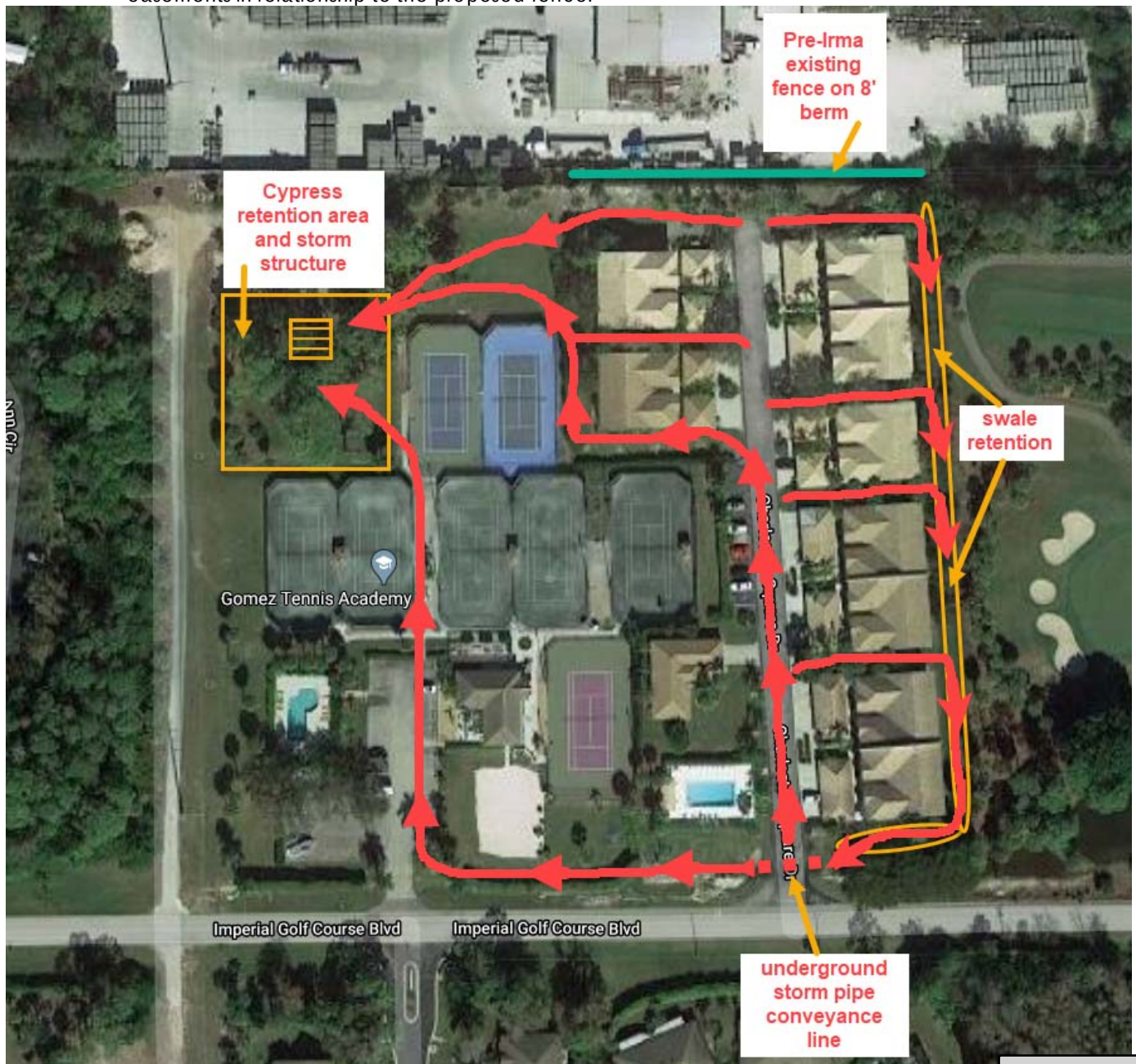
Attn: Richard Orth, Engineering Stormwater Review

Stormwater Correction Comment 1:

Miscellaneous Corrections: Please provide a north property profile that depicts the existing/permitted stormwater treatment system in relationship to the proposed fence, landscaping and elevation grades. Also show drainage easements within this profile along the north property line of proposed fence.

Response:

Please find below a sketch showing the existing stormwater treatment system and drainage easements in relationship to the proposed fence.





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): PL20190001140

Regarding the above subject petition number(s), Trevor Calhoun (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: Trevor Calhoun

Date: 7/13/2021

Signature: *Trevor Calhoun*



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.

08/12/2021

COLLIER COUNTY
Collier County Hearing Examiner

Item Number: 3.D

Item Summary: PETITION NO. PDI-PL20210000379, Baumgarten PUD Founder's Request for an insubstantial change to Ordinance No. 19-11, as amended, the Baumgarten Mixed Use Planned Unit Development (MPUD), Exhibit B, Section I, Mixed-Use Development Standards, by decreasing the required minimum yard setback from the Eastern Project Boundary from 50 feet to 25 feet, removing the applicable provision that any building exceeding 50 feet in height shall increase its setback by one foot for each one foot exceeding 50 feet of zoned height from the eastern PUD boundary, and limiting the maximum height of principal structures within 50 feet of the Eastern Project Boundary to 35 feet zoned height and 45 feet actual height, located at the southeast quadrant of Immokalee Road (CR 846) and Collier Boulevard (CR 951) in Section 26, Township 48 South, Range 26 East, Collier County, Florida. [Coordinator: John Kelly, Senior Planner] Commission District 5

Meeting Date: 08/12/2021

Prepared by:

Title: Planner – Zoning
 Name: John Kelly
 07/26/2021 7:00 PM

Submitted by:

Title: – Zoning
 Name: Mike Bosi
 07/26/2021 7:00 PM

Approved By:

Review:

Growth Management Operations & Regulatory Management	Kenneth Kovensky	Review Item	Completed
Hearing Examiner (GMD Approvers)	Diane Lynch	Review Item	Completed 07/27/2021 12:39 PM
Zoning	Ray Bellows	Review Item	Completed 07/28/2021 12:27 PM
Zoning	Mike Bosi	Zoning Director Review	Completed 07/28/2021 1:44 PM
Hearing Examiner	Andrew Dickman	Meeting Pending	08/12/2021 9:00 AM



STAFF REPORT

TO: COLLIER COUNTY HEARING EXAMINER

FROM: ZONING DIVISION – ZONING SERVICES SECTION
GROWTH MANAGEMENT DEPARTMENT

HEARING DATE: AUGUST 12, 2021

SUBJECT: PDI-PL20210000379, Baumgarten MPUD – Founders Square Tract H-2 PDI

OWNER/APPLICANT:

BCHD Partners II, LLC
2600 Golden Gate Pkwy
Naples, FL 34103

AGENT:

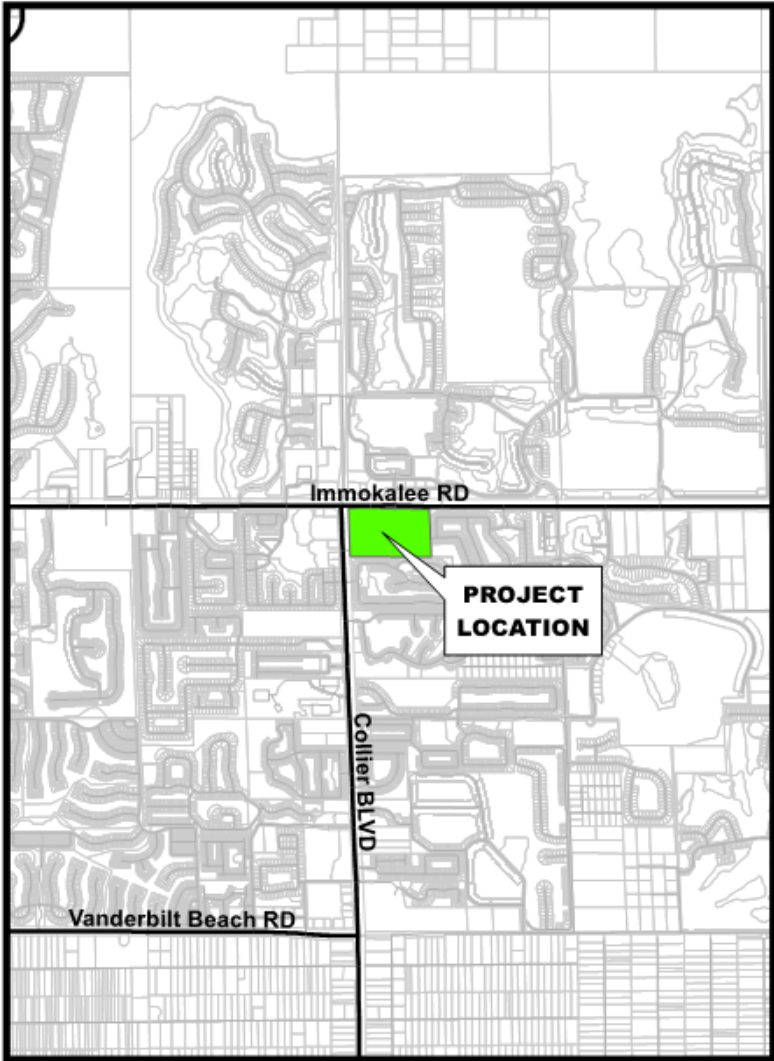
Christopher O. Scott
Peninsula Engineering
2600 Golden Gate Pkwy
Naples, FL 34103

REQUESTED ACTION:

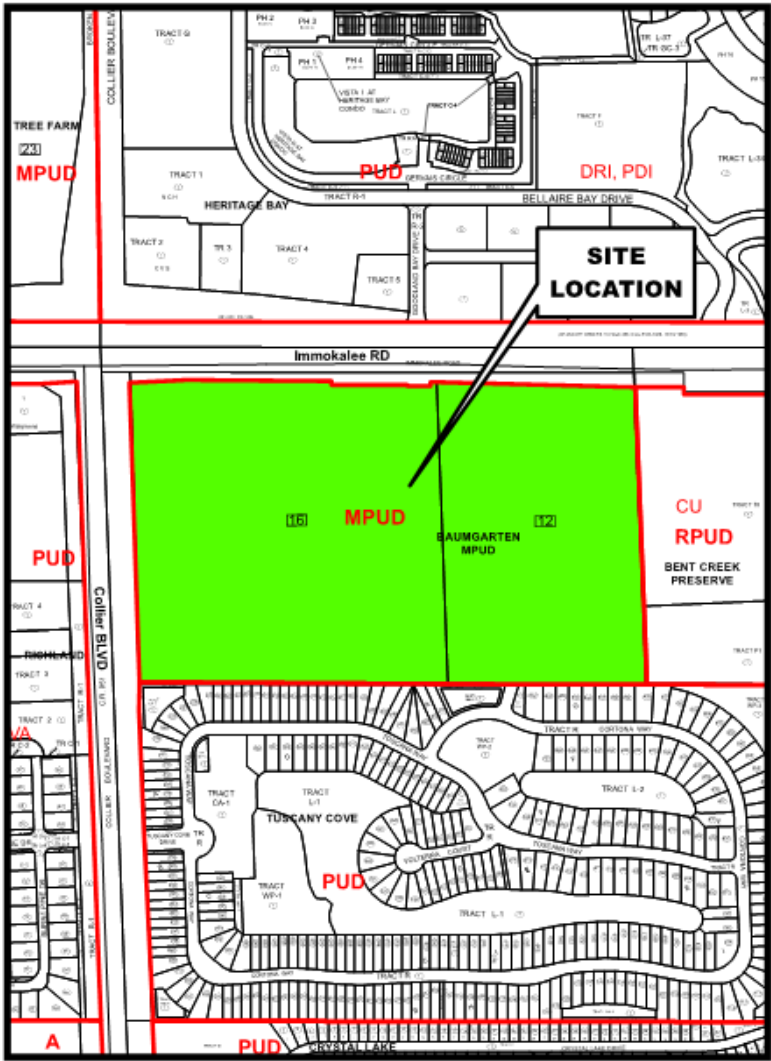
The petitioner requests that the Hearing Examiner approve an insubstantial amendment to the Baumgarten Mixed-Use Planned Unit Development (MPUD), Ordinance No. 19-11, as amended, Exhibit B, Section I, Mixed-Use Development Standards, by decreasing the required minimum yard setback from the eastern project boundary from 50 feet to 25 feet, removing the applicable provision that any building exceeding 50 feet in height shall increase its setback by one foot for each one foot exceeding 50 feet of zoned height from the eastern PUD boundary, and limiting the maximum height of principal structures within 50 feet of the eastern project boundary to 35 feet zoned height and 45 feet actual height.

GEOGRAPHIC LOCATION:

The Baumgarten MPUD comprises 55.66± acres located at the southeast quadrant of Immokalee Road (CR 846) and Collier Boulevard (CR 951) in Section 26, Township 48 South, Range 26 East, Collier County, Florida.

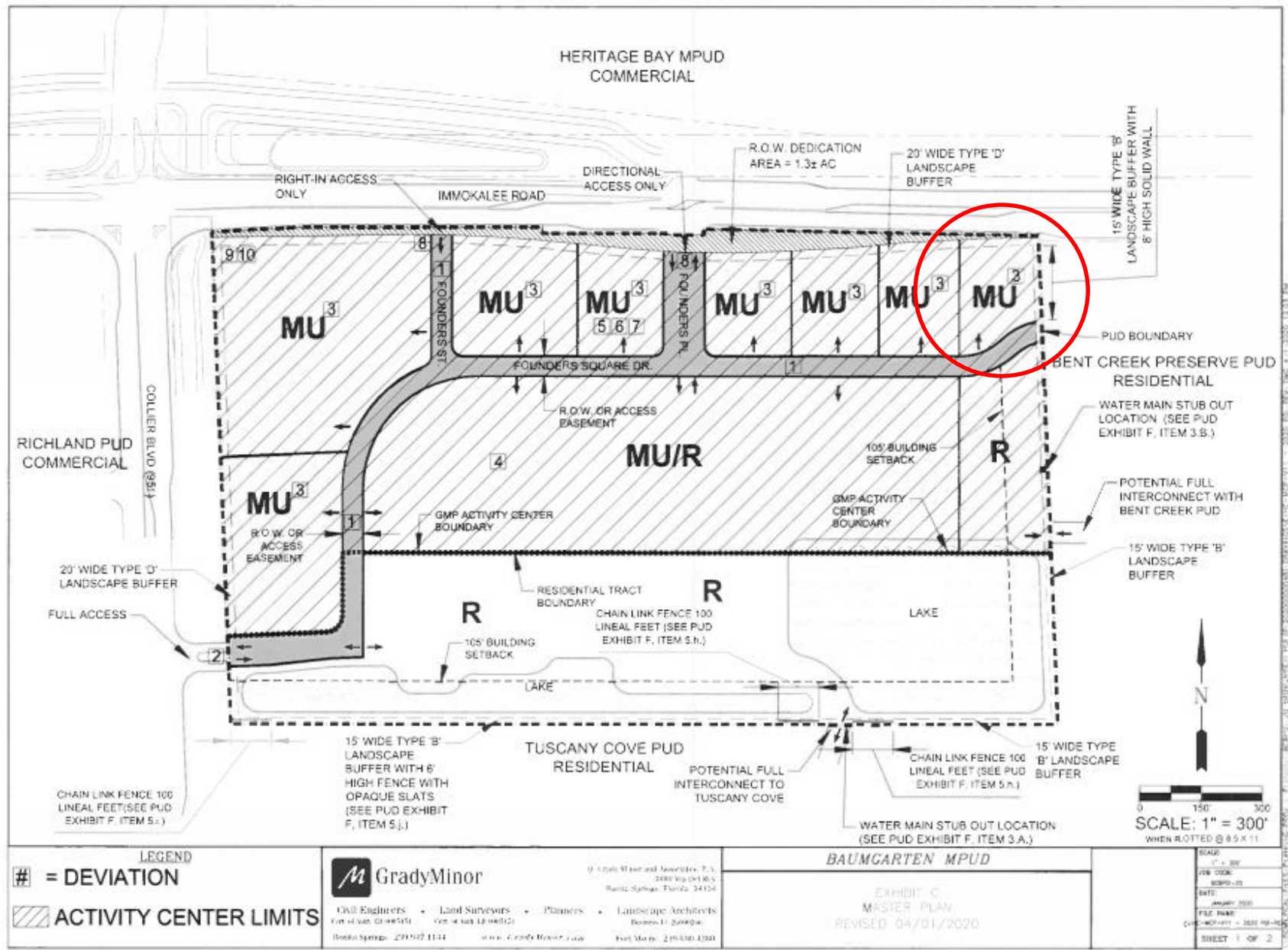


Location Map



Zoning Map

Petition Number: PL20210000379



PURPOSE AND DESCRIPTION OF PROJECT:

The Baumgarten MPUD was originally approved by Ordinance No. 2019-11 to allow up to 270,000 square feet of commercial uses and 400 residential units. An Insubstantial Change, HEX 2020-15 as corrected by HEX 2020-27, was subsequently approved to add deviations for a potential facility with fuel pumps. The applicant now seeks an Insubstantial Change to amend Exhibit B, Section 1, Mixed-Use Development Standards by changing the minimum yard requirement from the eastern project boundary. Said change includes:

- Setback to the eastern project boundary reduced from 50 feet to 25 feet;
- Removal of the provision that any building exceeding 50 feet in height increase its setback to the eastern project boundary by one foot for each foot exceeding 50 feet of zoned height; and
- Limits the maximum height of principal structures within 50 feet of the eastern project boundary to 35 feet zoned height and 45 feet actual height.

This development standard is intended to only affect Tract H-2 which is a 1.01± acre commercial outparcel measuring approximately 150 feet in width. The reduced setback is intended to allow greater design flexibility for the subject outparcel.

SURROUNDING LAND USE AND ZONING:

North: Immokalee Road (Right-of-Way) then Heritage Bay MPUD-Commercial, Cameron Commons

East: Bent Creek Preserve - Residential

South: Tuscany Cove PUD - Residential

West: Collier Boulevard (Right-of-Way) then Richland PUD – Commercial, Pebblebrook Shopping Center



Collier County GIS

STAFF ANALYSIS:

The proposed 25-foot yard is consistent with the minimum yard requirements for commercial zoning districts adjacent to residential districts or uses as provided in LDC Section 4.02.01 Table 2.1. The applicant further states that the eastern boundary of Tract H-2 includes a 15-foot Type B buffer consisting of trees planted every 25 feet on center, a continuous 5-foot tall hedge, and an 8-foot concrete wall. The property to the east of Tract H-2 is located within the Bent Creek Preserve RPUD. The Phase 2B plat of the Bent Creek Preserve provides an open space tract with a 15-foot wide landscape buffer and retained native vegetation along its western boundary. The applicant contends that this open space tract, the existing buffers, 8-foot high wall and the proposed 25-foot setback provide sufficient separation between any proposed commercial building from the adjacent residential lots; staff concurs.

Comprehensive Planning: Approximately 36 acres of the subject site is identified as Urban Designation, Urban Commercial District, Mixed Use Activity Center #3; the remaining approximately 19.66 acres of the subject site is identified as Urban Designation, Mixed Use District, Urban Residential Subdistrict on the Future Land Use Map (FLUM) of the Growth Management Plan (GMP). The applicant is decreasing the building height in Tract H-2. The FLUE does not speak to height in this PUD; therefore, the project is consistent with the GMP.

Conservation and Coastal Management Element: Environmental review staff has found this project to be consistent with the Conservation & Coastal Management Element (CCME). No revisions to the environmental portions of the PUD petition are being proposed.

Environmental Review: Environmental Planning staff has reviewed this petition. There are no impacts to sensitive habitat proposed by the proposed petition. This project does not require Environmental Advisory Council (EAC) review in accordance to LDC Section 2-1193 of the Collier County Codes of Laws and Ordinances. Environmental Services staff recommend **approval** of the proposed petition.

Transportation Element: Not applicable.

PLANNED UNIT DEVELOPMENT INSUBSTANTIAL CHANGE CRITERIA:

There are three types of changes to a PUD Ordinance: Substantial, Insubstantial, and Minor. An insubstantial change includes any change that is not considered a substantial or minor change. An insubstantial change to an approved PUD Ordinance shall be based upon an evaluation of LDC subsection 10.02.13 E.1.

LDC Section 10.02.13.E.1 Criteria:**a. Is there a proposed change in the boundary of the Planned Unit Development (PUD)?**

No, there is no proposed change in the boundary of the PUD.

b. Is there a proposed increase in the total number of dwelling units or intensity of land use or height of buildings within the development?

No, there is no proposed increase in the number of dwelling units or intensity of land use or height of buildings within the development.

- c. **Is there a proposed decrease in preservation, conservation, recreation, or open space areas within the development in excess of five (5) percent of the total acreage previously designated as such, or five (5) acres in area?**

No, there is no proposed decrease in preservation, conservation, recreation, or open space areas within the development as designated on the approved Master Plan.

- d. **Is there a proposed increase in the size of areas used for non-residential uses, to include institutional, commercial and industrial land uses (excluding preservation, conservation or open space), or a proposed relocation of nonresidential land uses?**

No, the request does not increase areas or relocate areas for nonresidential land uses. The changes to the Mixed-Use Development standards does not increase or relocate areas designated as Mixed-Use on the Master Concept Plan and does not increase the amount of non-residential intensity permitted in the PUD.

- e. **Is there a substantial increase in the impacts of the development which may include, but are not limited to increases in traffic generation; changes in traffic circulation; or impacts on other public facilities?**

No, there are no substantial impacts resulting from this amendment.

- f. **Will the change result in land use activities that generate a higher level of vehicular traffic based upon the Trip Generation Manual published by the Institute of Transportation Engineers?**

No, the request does not change land use activities and does not generate a higher level of vehicular trips.

- g. **Will the change result in a requirement for increased stormwater retention, or otherwise increase stormwater discharge?**

No, the proposed changes will not impact or increase stormwater retention or increase stormwater discharge.

- h. **Will the proposed change bring about a relationship to an abutting land use that would be incompatible with an adjacent land use?**

No. There will be no incompatible relationships with abutting land uses.

- i. **Are there any modifications to the PUD Master Plan or PUD document or amendment to a PUD ordinance which is inconsistent with the Future Land Use Element or other**

elements of the Growth Management Plan or which modification would increase the density of intensity of the permitted land uses?

No, this modification is in compliance with the Future Land Use Element of the Growth Management Plan.

- j. The proposed change is to a PUD District designated as a Development of Regional Impact (DRI) and approved pursuant to Chapter 380.06, Florida Statutes, where such change requires a determination and public hearing by Collier County pursuant to Sec. 380.06 (19), F.S. Any change that meets the criterion of Sec. 380.06 (19)(e)2., F.S., and any changes to a DRI/PUD Master Plan that clearly do not create a substantial deviation shall be reviewed and approved by Collier County under Section 10.02.13 of the LDC.**

No, the Baumgarten MPUD is not a DRI, therefore this criterion is not applicable.

- k. Are there any modifications to the PUD Master Plan or PUD document or amendment to a PUD ordinance which impact(s) any consideration deemed to be a substantial modification as described under Section(s) 10.02.13 E.?**

Based upon the analysis provide above, the proposed change is not deemed to be substantial.

LDC Section 10.02.13.E.2 Criteria:

Does this petition change the analysis of the findings and criteria used for the original application? (Rezone Findings are attached to this Staff Report as Exhibit "A").

No, the change proposed does not affect the original analysis, rezone, and PUD findings (attached).

DEVIATION DISCUSSION:

No deviations are being requested as part of this application.

NEIGHBORHOOD INFORMATION MEETING (NIM):

The applicant conducted a duly noticed and advertised NIM on May 19, 2021 at Saint Monica's Episcopal Church located at 7070 Immokalee Road, the meeting was simultaneously run on Zoom to allow for remote audience participation. The meeting, hosted by Chris Scott of Peninsula Engineering, was advertised to begin at 5:30 P.M. however didn't commence until 5:40 P.M. A brief overview of the development was provided which led to explanation of the purpose of the subject petition request. It was explained that the subject petition only affects one tract within the PUD, that identified as Tract H-2. Following the presentation, the floor was opened to questions from the audience. One audience member mentioned that the Bent Creek HOA has their meetings on Wednesdays and that tis meeting conflicted with that; Mr. Scott stated that he was unaware of that meeting and advised that there will be another opportunity for the public to speak at the public hearing before the Hearing Examiner, once scheduled. The meeting concluded at 6:05 P.M. with

nobody having registered to speak via Zoom. The NIM Summary and Sign-In Sheet are included within Attachment C.

CONCURRENT LAND USE APPLICATIONS:

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

STAFF RECOMMENDATION:

Staff recommends that the Collier County Hearing Examiner approve petition PDI-PL20210000379 to amend Exhibit B, Section I, Mixed-Use Development Standards, of the Baumgarten MPUD, by decreasing the required minimum yard setback from the eastern project boundary from 50 feet to 25 feet, removing the applicable provision that any building exceeding 50 feet in height shall increase its setback by one foot for each one foot exceeding 50 feet of zoned height from the eastern PUD boundary, and limiting the maximum height of principal structures within 50 feet of the eastern project boundary to 35 feet zoned height and 45 feet actual height.

Attachments:

- A. Proposed PUD Insubstantial Change Documents
- B. Findings of Fact of the original Rezone
- C. Applicant's Backup - Application and support documents
- D. Hybrid Meeting Waiver

EXHIBIT B

**BAUMGARTEN MPUD
DEVELOPMENT STANDARDS**

The tables below set forth the development standards for land uses within the Baumgarten MPUD. Standards not specifically set forth herein shall be those specified in applicable sections of the LDC in effect as of the date of approval of the SDP or subdivision plat.

I. MIXED- USE:

	PRINCIPAL USES		ACCESSORY USES	
MINIMUM LOT AREA	10, 000 Sq. Ft.		N/A	
AVERAGE LOT WIDTH	100 ft.		N/A	
MINIMUM YARDS (External)				
From Immokalee Road ROW	25 ft.		SPS	
From Collier Boulevard ROW	25 ft.		SPS	
From Eastern Project Boundary***	50 ft. <u>25 ft.</u>		15 ft.	
From Southern Project Boundary	200 ft. Minimum		200 ft. Minimum	
MINIMUM YARDS (Internal)				
Internal Drives/ ROW	10 ft.		10 ft.	
Rear	10 ft.		10 ft.	
Side	10 ft.		10 ft.	
Lakes (measured from control elevation)	25 ft.		20 ft.*	
Preserve	25 ft.		10 ft.	
MIN. DISTANCE BETWEEN STRUCTURES	1/2 the sum of building heights		10 ft.	
MAXIMUM HEIGHT***	ZONED	ACTUAL	ZONED	ACTUAL
Retail Buildings	45 ft.	65 ft.	35 ft.	45 ft.
Office Buildings and Hotel/ Motel	55 ft.	65 ft.	35 ft.	45 ft.
MINIMUM FLOOR AREA (ground floor)	1,000 sq. ft. **		N/A	
MAXIMUM GROSS COMMERCIAL AREA	270,000 sq. ft.		N/A	

* No structure may be located closer than 20 feet to the control elevation of a lake (allowing for the required minimum 20-foot wide lake maintenance easement).

** Per principal structure. Kiosk vendor, concessions, and temporary or mobile sales structures shall be permitted to have a minimum floor area of twenty-five (25) square feet and shall be subject to the accessory structure standards set forth in the LDC.

*** Any building located within exceeding 50 feet in height shall increase its setback by one foot for each one foot exceeding 50 feet of zoned height from the eastern PUD boundary is limited to a maximum zoned height of 35 ft. and a maximum actual height of 45 ft. No dumpster enclosure permitted within 105 feet of the eastern PUD boundary.

Note: Residential dwellings may be constructed above retail or office use.

and objectives of the GMP regarding adequate public facilities, except as may be exempt by federal regulations. This petition has been reviewed by County staff responsible for jurisdictional elements of the GMP as part of the amendment process, and those staff persons have concluded that no Level of Service will be adversely impacted with the commitments contained in the PUD Document. The concurrency review for APF is determined at the time of SDP review. The activity proposed by this amendment will have no impact on public facility adequacy in regard to utilities.

18. *Such other factors, standards, or criteria that the Board of County Commissioners shall deem important in the protection of the public health, safety, and welfare.*

To be determined by the BCC during its advertised public hearing.

PUD FINDINGS:

LDC Section 10.02.13.B.5 states that "In support of its recommendation, the CCPC shall make findings as to the PUD Master Plan's compliance with the following criteria:"

1. *The suitability of the area for the type and pattern of development proposed in relation to physical characteristics of the land, surrounding areas, traffic and access, drainage, sewer, water, and other utilities.*

The area is suitable for the proposed type and pattern of commercial and residential development. However, as discussed in the Zoning Review section of this Staff Report, staff has recommended Conditions of Approval 2 and 3 to address potential incompatibilities along the shared boundaries with residential development:

- 2. *Any building located within 50 feet of an external residential PUD boundary shall be setback an additional 1-foot for each foot of zoned height over 50 feet.***
- 3. *When an Amenity building or use is located less than 100 feet from a residential PUD boundary, a 15-foot wide Type B landscape buffer with a 6-foot high wall shall be provided.***

Transportation planning staff has reviewed the petition for compliance with the GMP and the LDC and can recommend approval subject to the Conditions of Approval outlined in the Transportation Element and the development commitments for transportation contained in Exhibit F of the PUD Document.

Water and wastewater transmission mains are readily available within the Collier Boulevard right-of-way, and there is adequate water and wastewater treatment capacity to serve the proposed PUD. The PUD Document includes commitments to provide main water stub-outs for water distribution system looping with the adjacent developments of Bent Creek Preserve to the east and Tuscany Cove to the south. These commitments will not be required if the residential tract is master metered.

4. *Adequacy of evidence of unified control and suitability of any proposed agreements, contract, or other instruments, or for Rezones in those proposed, particularly as they may relate to*

arrangements or provisions to be made for the continuing operation and maintenance of such areas and facilities that are not to be provided or maintained at public expense.

Documents submitted with the application provided satisfactory evidence of unified control of the property. Additionally, the development will be required to gain SDP approval. These processes will ensure that appropriate stipulations for the provision of, continuing operation of, and maintenance of infrastructure will be provided by the developer.

5. *Conformity of the proposed Planned Unit Development with the goals, objectives, and policies of the GMP.*

County staff has reviewed this petition and has offered an analysis of the relevant goals, objectives, and policies of the GMP within the GMP discussion of this staff report. Based on that analysis, staff has found this petition consistent with the overall GMP.

6. *The internal and external compatibility of proposed uses, which conditions may include restrictions on location of improvements, restrictions on design, and buffering and screening requirements.*

The proposed landscaping and buffering standards are compatible with most of the adjacent uses. Staff has recommended Conditions of Approval 2 and 3 (listed under PUD Finding 1) to address potential incompatibilities along the shared boundaries with residential development.

5. The adequacy of usable open space areas in existence and as proposed to serve the development.

The amount of open space set aside for this project meets the minimum requirement of the LDC.

6. *The timing or sequence of development for the purpose of assuring the adequacy of available improvements and facilities, both public and private.*

Collier County has sufficient treatment capacity for water and wastewater service to the project.

The roadway infrastructure is sufficient to serve the proposed project, as noted in the Transportation Element consistency review. Operational impacts will be addressed at time of first development order (SDP or Plat), at which time a new TIS will be required to demonstrate turning movements for all site access points. Finally, the project's development must comply with all other applicable concurrency management regulations when development approvals, including but not limited to any plats and or site development plans, are sought.

7. *The ability of the subject property and of surrounding areas to accommodate expansion.*

The area has adequate supporting infrastructure, including Collier County Water-Sewer District potable water and wastewater mains, to accommodate this project.

8. *Conformity with PUD regulations, or as to desirable modifications of such regulations in the particular case, based on determination that such modifications are justified as meeting public purposes to a degree at least equivalent to literal application of such regulations.*

This criterion essentially requires an evaluation of the extent to which development standards and deviations proposed for this PUD depart from development standards that would be required for the most similar conventional zoning district. The petitioner is seeking three deviations related to street width, directory signs and ground signs.

Please, refer to the Deviation Discussion portion of the staff report below for a more extensive examination of the deviations.

Deviation Discussion:

The petitioner is seeking three deviations from the requirements of the LDC. The deviations are directly extracted from PUD Exhibit F. The petitioner's rationale, and staff analysis/recommendation are outlined below.

Deviation #1

"Deviation #1 seeks relief from LDC Section 6.06.01. "Street System Requirements" and "Appendix B, Typical Street Sections and Right-of-Way Design Standards." The LDC establishes a minimum 60-foot right-of-way width for local streets. This deviation proposes to instead allow for private roads within the site to be located in a 50-foot wide access easement or right-of-way, as shown on the Master Plan and in Exhibit E1, Deviation #1 Cross Section."

Petitioner's Justification: The petitioner states the following in support of the deviation:

The number of lanes and required lane width can be accommodated within the proposed 50-foot access easements or rights-of-way, and the reduction in the minimum required width will provide for a more efficient and compact development project.

Staff Analysis and Recommendation: Zoning and Land Development Review staff **recommends APPROVAL**, finding that, in compliance with LDC Section 10.02.13.A.3, the petitioner has demonstrated that "the element may be waived without a detrimental effect on the health, safety, and welfare of the community," and LDC Section 10.02.13.B.5.h, the petitioner has demonstrated that the deviation is "justified as meeting public purposes to a degree at least equivalent to literal application of such regulations."

Deviation #2

"Deviation #2 seeks relief from LDC Section 5.06.04.F.3, "Directory Signs," which requires a Directory Sign to be a maximum of 20 feet in height and a maximum of 200 square feet, to instead allow the Directory Sign located at the Collier Boulevard entrance to the MPUD to be a maximum of 25 feet in height and a maximum of 250 square feet in size."

Petitioner's Justification: The petitioner states the following in support of the deviation:



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NAPLES, FLORIDA 34104
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INSUBSTANTIAL CHANGE TO A PUD (PDI)

LDC subsection 10.02.13 E & Code of Laws section 2-83 – 2-90
Ch. 3 G.3 of the Administrative Code

Pursuant to LDC subsection 10.02.13 E.2, a PUD insubstantial change includes any change that is not considered a substantial or a minor change. A PUD insubstantial change to an approved PUD ordinance shall be based upon an evaluation of LDC subsection 10.02.13 E.1 and shall require the review and approval of the Hearing Examiner. The Hearing Examiner's approval shall be based on the findings and criteria used for the original application.

PETITION NO
PROJECT NAME
DATE PROCESSED

To be completed by staff

APPLICANT CONTACT INFORMATION

Name of Property Owner(s): BCHD Partners II, LLC
Name of Applicant if different than owner: Peninsula Engineering
Address: 2600 Golden Gate Parkway City: Naples State: FL ZIP: 34103
Telephone: 239-262-2600 Cell: Fax:
E-Mail Address:

Name of Agent: Christopher O. Scott
Firm: Peninsula Engineering
Address: 2600 Golden Gate Pkwy City: Naples State: FL ZIP: 34103
Telephone: 239-262-2600 Cell: Fax:
E-Mail Address: CScott@pen-eng.com

DETAIL OF REQUEST

On a separate sheet, attached to the application, describe the insubstantial change request. Identify how the request does not meet the PUD substantial change criteria established in LDC subsection 10.02.13 E.1.



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PROPERTY INFORMATION

PUD NAME: Baumgarten MPUD **ORDINANCE NUMBER:** 2019-11
FOLIO NUMBER(S): 33155000184,33155000100,33155000126,33155000142,33155000168

Provide a legal (if PUD is recorded) or graphic description of area of amendment (this may be graphically illustrated on Amended PUD Master Plan). If applying for a portion of the PUD, provide a legal description for subject portion.

Attach on a separate sheet, a written description of the map or text change.

Does amendment comply with the Growth Management Plan? ☒ Yes ☐ No

If no, please explain: _____

Has a public hearing been held on this property within the last year? ☒ Yes ☐ No

If yes, in whose name? BCHD Partners II, LLC

Has any portion of the PUD been ☒ SOLD and/or ☒ DEVELOPED?

Are any changes proposed for the area sold and/or developed? ☐ Yes ☒ No

If yes, please describe on an attached separate sheet.



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**Pre-Application Meeting and Final Submittal Requirement Checklist for:
PUD Insubstantial Change
Chapter 3 G.3 of the Administrative Code**

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

REQUIREMENTS FOR REVIEW	# OF COPIES	REQUIRED	NOT REQUIRED
Completed Application (download current form from County website)	1	☒	
Pre-Application Meeting notes <i>(email waiving pre-app meeting)</i>	1	☒	☐
Project Narrative, including a detailed description of proposed changes and why amendment is necessary	1	☒	☐
Detail of request	1	☒	
Current Master Plan & 1 Reduced Copy	1	☒	
Revised Master Plan & 1 Reduced Copy	1	☒	
Revised Text and any exhibits	☐	☒	☐
PUD document with changes crossed through & underlined	☐	☒	☐
PUD document as revised with amended Title Page with Ordinance #	☐	☐	☐
Warranty Deed	☐	☒	☐
Legal Description	1		☒
Boundary survey, if boundary of original PUD is amended	☐	☐	☒
If PUD is platted, include plat book pages	☐	☒	☐
List identifying Owner & all parties of corporation	1	☒	☐
<u>Affidavit of Authorization, signed & notarized</u>	1	☒	
<u>Completed Addressing Checklist</u>	1	☒	
<u>Property Ownership Disclosure Form</u>	1	☒	
Copy of 8 1/2 in. x 11 in. graphic location map of site	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.	☐	☒	☐
*If located in Immokalee or seeking affordable housing, include an additional set of each submittal requirement.			

ADDITIONAL REQUIREMENTS FOR THE PUBLIC HEARING PROCESS:

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



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

☐ School District (Residential Components): Amy Lockheart	☐ Bayshore/Gateway Triangle Redevelopment: Executive Director
☐ Utilities Engineering: Eric Fey	☐ Parks and Recreation: Barry Williams and David Berra
☐ Emergency Management: Dan Summers	☐ Naples Airport Authority:
☐ Conservancy of SWFL: Nichole Johnson	☐ Other:
☐ City of Naples: Robin Singer, Planning Director	☐ Other:

FEE REQUIREMENTS

- ☐ PUD Amendment Insubstantial (PDI): \$1,500.00
- ☐ Pre-Application Meeting: \$500.00
- ☐ Estimated Legal Advertising fee for the Office of the Hearing Examiner: \$1,125.00
Same fee applies if the petition is referred to the Collier County Planning Commission, where the CCPC serves as the deciding authority instead of the HEX.

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

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

All checks payable to: Board of County Commissioners.

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

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

Agent/Owner Signature

02/18/2021

Date

Christopher O. Scott, AICP

Applicant/Owner Name (please print)

AFFIDAVIT OF AUTHORIZATION

FOR PETITION NUMBERS(S) Baumgarten PUD Insubstantial Change

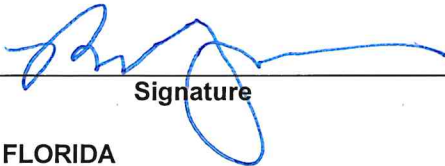
I, Brian Goguen (print name), as Manager (title, if applicable) of BCHD Partners II, LLC (company, if applicable), swear or affirm under oath, that I am the (choose one) owner ☒ applicant ☐ contract purchaser ☐ and that:

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 Chris Scott of Peninsula Engineering 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

02/10/2021

Date

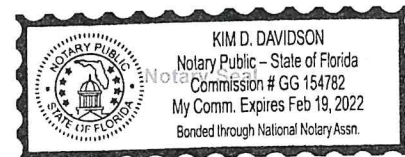
STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 10 day of February, 2021, by (printed name of owner or qualifier) Brian Goguen.

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

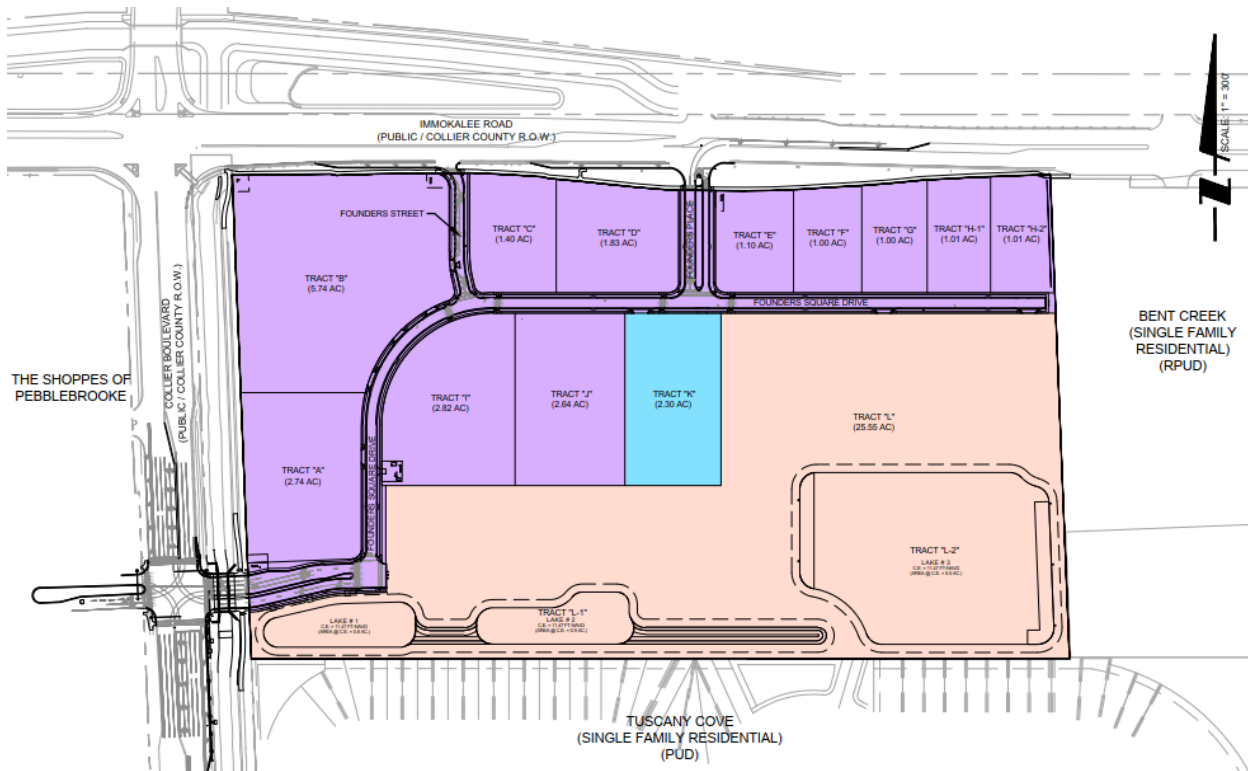
- ☒ Are personally known to me
- ☐ Has produced a current drivers license _____
- ☐ Has produced _____ as identification.

Notary Signature: _____



**BAUMGARTEN MPUD (PL)
PROPERTY OWNER LIST**

Parcel ID Number	Tract	Name and Address
33155000029	A	BCHD Partners II, LLC 2600 Golden Gate Pkwy Naples, FL 34105
33155000045	B	
33155000061	C	
33155000087	D	
33155000100	E	
33155000126	F	
33155000142	G	
33155000168	H-1	
33155000184	H-2	
33155000207	I	
33155000233	J	
33155000809	R1	
33155000249	K	Founders Square Storage, LLC 6728 Jamestown Dr Alpharetta, GA 30005
33155000265	L	DD Pelican, LLC 403 Corporate Center Dr., Suite 201 Stockbridge, GA 30281
33155000760	L-1	
33155000786	L-2	



Prepared by:

Matthew L. Grabinski, Esq.
Coleman, Yovanovich & Koester, P.A.
The Northern Trust Bank Building
4001 Tamiami Trail North, Suite 300
Naples, FL 34103
239-435-3535
File Number: 3623.104

After Recording Return to:

Collier Insurance Agency, LLC
Attn: Brad Stockham
2600 Golden Gate Parkway
Naples, FL 34105
239-262-2600

Parcel Identification No's: 001923600001 and 00192920001

[Space Above This Line For Recording Data]

Special Warranty Deed

This Indenture made this 16th day of January, 2020, between **Tree Plateau Co., Inc.**, a Delaware corporation, whose address is 2711 Centerville Road, Suite 400, Wilmington, Delaware, 19808 ("Grantor"), and **BCHD Partners II, LLC**, a Florida limited liability company, whose post office address is whose address is c/o Halstatt Fund, 2600 Golden Gate Parkway, Naples, Florida 34105 ("Grantee").

(Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and successors and assigns of entities)

Witneseth that Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations has granted, bargained, and sold to Grantee the following described land located in Collier County, Florida, to-wit:

See Exhibit "A", attached hereto

Subject to: all restrictions, reservations, easements and matters of record as listed on Exhibit "B", attached hereto, general or special taxes and assessments for the year 2020 and subsequent years, as well as zoning ordinances of Collier County, Florida.

and Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under the said Grantor, but against none other.

Attachment: Attachment C - Hearing Package Backup (17593 : PL20210000379 PDI Baumgarten PUD Founder's Square)

In Witness Whereof, Grantor has hereunto set Grantor's hand and seal the day and year first above written. Signed, sealed and delivered in our presence:

Signatures appear on following page

Witnesses:

Carol Potter
Print Name: CAROL Potter

Tree Plateau Co., Inc.,
a Delaware corporation

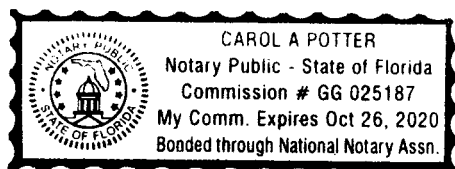
By: [Signature]
Print Name: Richard S. Talford
Its: President

Gene M. Franz
Print Name: GENE M. Franz

State of Florida
County of Collier

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 15th day of January, 2020 by Richard S. Talford, as President of Tree Plateau Co., Inc., a Delaware corporation, on behalf of the corporation. He ☒ is personally known to me or ☐ has produced _____ as identification.

[Notary Seal]



Carol A. Potter
Notary Public

Printed Name: CAROL A. Potter

Commission Expires: 10/26/20

Exhibit "A"

Legal

**All of Founders Square according to the plat thereof recorded in Plat Book 67 page 9 through 12,
Public Records of Collier County, Florida.**



Exhibit "B"
Exceptions to Title

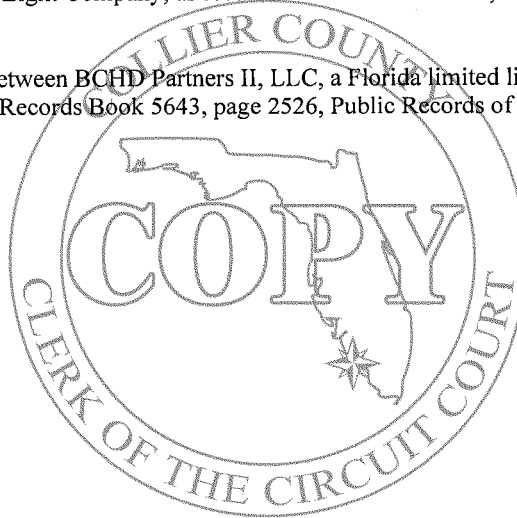
Declaration of Covenants, Conditions and Restrictions of Founders Square as recorded in Official record Book 5714 Page 2253, Public Records of Collier County, Florida.

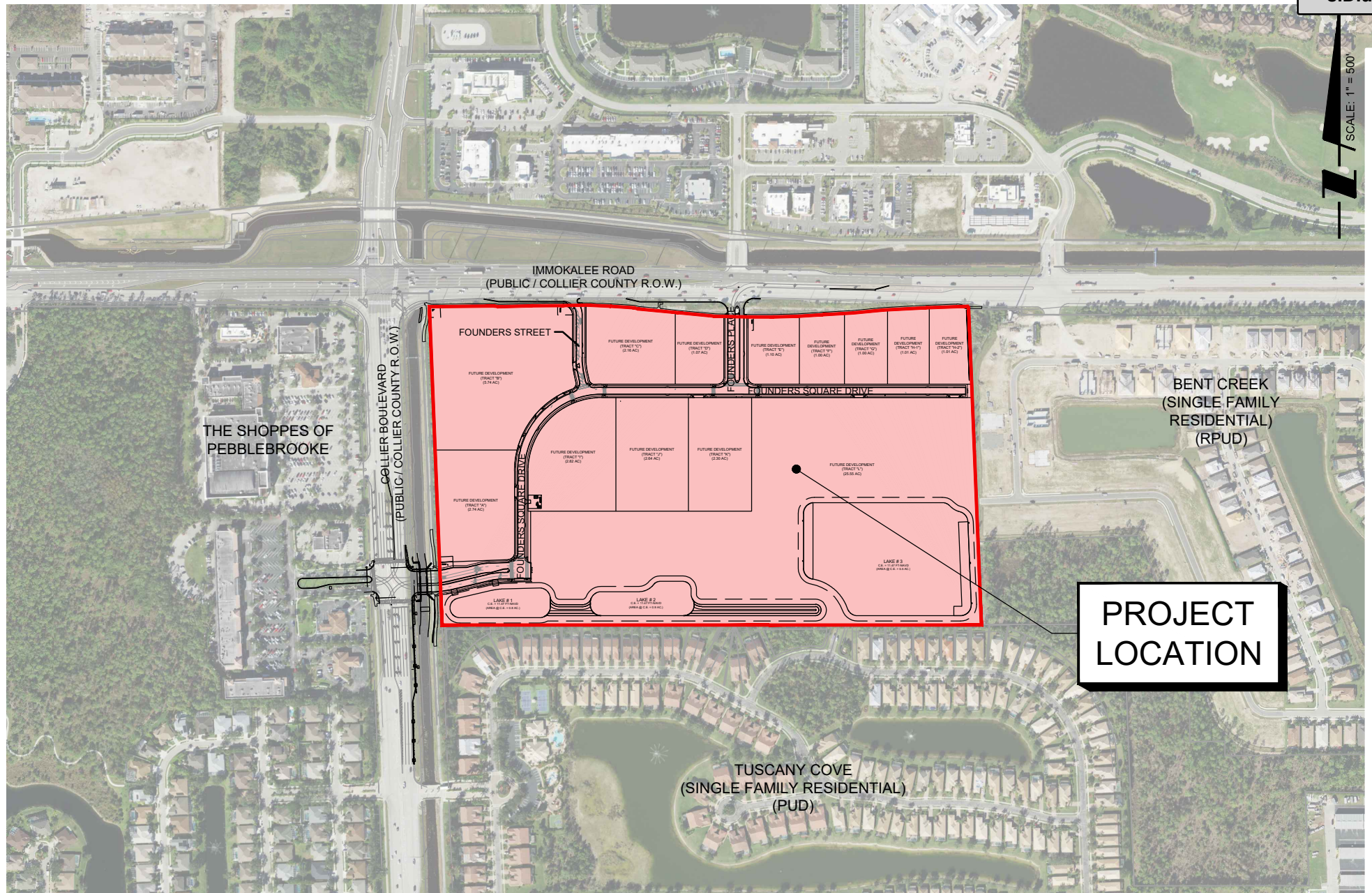
All matters contained on the plat of Founders Square as recorded in Plat Book 67, pages 9 through 12 of the public records of Collier County, Florida.

Reservations of Oil, Gas and Mineral Rights recorded in Deed Book 30, page 91 and Deed Book 37, page 51, all of the Public Records of Collier County, Florida.

Easement to Florida Power and Light Company, as recorded in O.R. Book 1157, Page 704, of the Public Records of Collier County, Florida.

Developer Agreement by and between BCHD Partners II, LLC, a Florida limited liability company and Collier County, as recorded in Official Records Book 5643, page 2526, Public Records of Collier County, Florida.





PROJECT NARRATIVE AND DETAIL OF REQUEST

BACKGROUND:

The Baumgarten MPUD is located at the southeast intersection of Immokalee Road and Collier Boulevard. The MPUD was originally approved by Ordinance 2019-11 to allow for up to 270,000 square feet of commercial uses and 400 residential units. The MPUD Master Plan includes 20-acres of Mixed Use (MU), 10-acres of Residential, and 14-acres Mixed Use or Commercial (MU/R).

In 2020, the MPUD was approved an Insubstantial Change to add deviations for potential facility with fuel pumps (HEX 2020-15 and HEX 2020-27).

A Construction Plan and Plat application (PPL, PL20190000344) was approved in December 2019 and the associated plat (Founders Square) was recorded January 8, 2020 (PB 67, PGS 9-12).

To date, the MPUD has been approved the following development orders:

- Haldeman Luxury Apartments: Site Development Plan (SDP, PL20190000132) was approved for 400-unit apartments on Tract L.
- Founders Square Medical Office Building: Site Development Plan (SDP, PL20190001346) was approved for 34,275 square feet medical office building on Tract A.
- Founders Square Storage: Site Development Plan (SDP, PL20190002076) was approved for a 109,457 square feet indoor self-storage building on Tract K.
- The Pointe at Founders Square: Site Development Plan (SDP, PL20190001486) was approved for 39,664 square feet commercial shopping center on Tract B.

REQUEST:

The Applicant is requesting an Insubstantial Change to the Baumgarten MPUD to amend Exhibit B, Section 1, Mixed-Use Development Standards by changing the minimum yard requirement from the eastern project boundary. This change is considered insubstantial as detailed below. Specifically, this change includes:

- Reduces setback to the Eastern Project Boundary from 50' to 25';
- Removes the provision that any building exceeding 50' in height shall increase its setback to the Eastern Project Boundary by one foot for each foot exceeding 50 feet of zoned height; and
- Limits the maximum height of principal structures within 50' of the Eastern Project Boundary to 35 feet zoned height and 45 feet actual height.

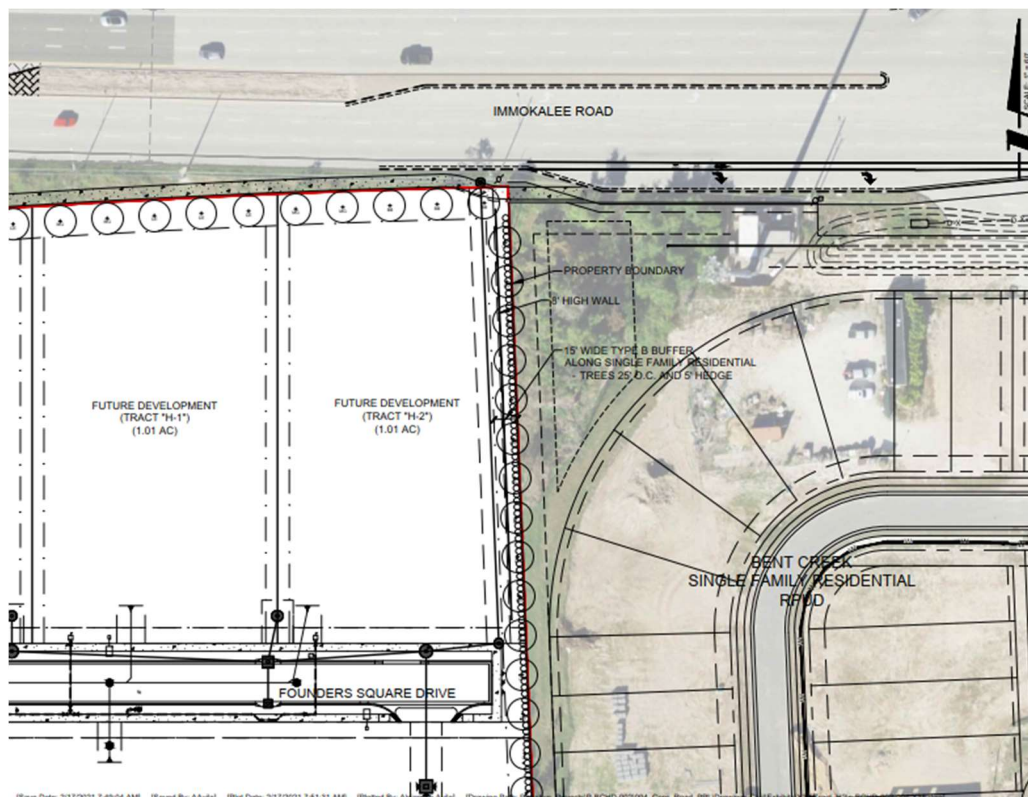
The existing development standards for the Mixed-Use portion of the PUD require a 50' minimum yard to the eastern project boundary that is shared with Bent Creek RPUD. Buildings over 50' tall are required to increase the setback an additional foot for each additional foot above 50'. This development standard only affects Tract H-2, which is a 1.01-acre commercial outparcel measuring approximately 150 feet in width. The setback reduction will provide greater design flexibility for this commercial outparcel.

The proposed 25' yard is consistent with minimum yard requirements for commercial zoning districts adjacent to residential districts or uses, as provided in LDC Section 4.02.01 Table 2.1.:

Table 2.1 - TABLE OF MINIMUM YARD REQUIREMENTS (SETBACKS) FOR BASE ZONING DISTRICTS

Zoning district	Minimum Front Yard (feet)	Minimum Side Yard (feet)		Minimum Rear Yard (feet)		Public School Requirements
		Residential	Non-residential	Residential	Non-residential	
C-1	25	25	15	25	15	x
C-2	25	25	15	25	15	x
C-3 ³	c	25	a	25	a	x
C-4 ⁴	d	25	a	25	a	x
C-5 ⁴	25	25	15	25	15	x

The eastern boundary of Tract H-2 includes a 15' Type B buffer consisting of trees planted every 25-feet on center, a continuous 5' tall hedge and an 8' concrete wall. To the east of Tract H-2 is Bent Creek Preserve RPUD. Bent Creek Preserve, Phase 2B plat provides an open space tract with a 15-foot wide landscape buffer and retained native vegetation along its western boundary. This open space tract, the existing buffers, 8' tall wall and proposed 25' setback provides sufficient separation between any proposed commercial building from the adjacent residential lots.



2600 Golden Gate Parkway, Naples, Florida, 34105 Office 239.403.6700 Fax 239.261.1797

To further reduce potential impacts of the reduced setback, the building height for any building located within 50' of the eastern project boundary is being limited to 35-foot zoned height and 45-foot actual height. These height limitations are consistent with the existing requirements for accessory structures within the Mixed Use District, which are permitted to be located 15' from the Eastern Project Boundary.

COMPLIANCE WITH LDC SECTION 10.02.13 E.:

The request complies with the insubstantial change criteria of LDC Section 10.03.13 E.:

- E. Changes and amendments. There are three types of changes to a PUD Ordinance: Substantial, Insubstantial, and Minor.
1. Substantial changes. Any substantial change(s) to an approved PUD Ordinance shall require the review and recommendation of the Planning Commission and approval by the Board of County Commissioners as a PUD amendment prior to implementation. Applicants shall be required to submit and process a new application complete with pertinent supporting data, as set forth in the Administrative Code. For the purpose of this section, a substantial change shall be deemed to exist where:
 - a. A proposed change in the boundary of the PUD;
The request does NOT include a change in the boundary of the PUD.
 - b. A proposed increase in the total number of dwelling units or intensity of land use or height of buildings within the development;
The request does NOT increase the number of dwelling units or intensity of land use or height of buildings within the development.
 - c. A proposed decrease in preservation, conservation, recreation or **open space** areas within the **development** not to exceed 5 percent of the total acreage previously designated as such, or 5 acres in area;
The request does NOT change preservation, conservation, recreation or open space areas.
 - d. A proposed increase in the size of areas used for nonresidential uses, to include institutional, commercial and industrial land uses (excluding preservation, conservation or **open spaces**), or a proposed relocation of nonresidential land uses;
The request does NOT increase areas or relocate areas for nonresidential land uses. The changes to the Mixed-Use Development standards does not increase or relocate areas designated as Mixed-Use on the Master Concept Plan and does not increase the amount of non-residential intensity permitted in the PUD.
 - e. A substantial increase in the impacts of the **development** which may include, but are not limited to, increases in traffic generation; changes in traffic circulation; or impacts on other public facilities;
The request does NOT increase impacts of development, such as traffic generation, circulation or impacts on other public facilities.
 - f. A change that will result in land use activities that generate a higher level of vehicular traffic based upon the Trip Generation Manual published by the Institute of Transportation Engineers;
The request does NOT change land use activities and does NOT generate higher level of vehicular trips.

- g. A change that will result in a requirement for increased stormwater retention, or will otherwise increase stormwater discharges;

The request does NOT result in a requirement for increased stormwater retention or increased stormwater discharges.

- h. A change that will bring about a relationship to an abutting land use that would be incompatible with an adjacent land use;

The request does NOT create incompatibility with, or negatively impact, adjacent land uses.

- i. Any modification to the PUD master plan or PUD document or amendment to a PUD ordinance which is inconsistent with the Future Land Use Element or other element of the Growth Management Plan or which modification would increase the density or intensity of the permitted land uses;

The request IS consistent with the Collier County Growth Management Plan

- j. The proposed change is to a PUD district designated as a development of regional impact (DRI) and approved pursuant to F.S. § 380.06, where such change requires a determination and public hearing by Collier County pursuant to F.S. § 380.06(19). Any change that meets the criterion of F.S. § 380.06(19)(e)2, and any changes to a DRI/PUD master plan that clearly do not create a substantial deviation shall be reviewed and approved by Collier County under this LDC section 10.02.13; or

The request is NOT located within a DRI.

- k. Any modification in the PUD master plan or PUD document or amendment to a PUD ordinance which impact(s) any consideration deemed to be a substantial modification as described under this LDC section 10.02.13.

The request is NOT deemed a substantial modification and may be processed as an Insubstantial Change (PDI).

EXHIBIT B

**BAUMGARTEN MPUD
DEVELOPMENT STANDARDS**

The tables below set forth the development standards for land uses within the Baumgarten MPUD. Standards not specifically set forth herein shall be those specified in applicable sections of the LDC in effect as of the date of approval of the SDP or subdivision plat.

I. MIXED- USE:

	PRINCIPAL USES		ACCESSORY USES	
MINIMUM LOT AREA	10, 000 Sq. Ft.		N/A	
AVERAGE LOT WIDTH	100 ft.		N/A	
MINIMUM YARDS (External)				
From Immokalee Road ROW	25 ft.		SPS	
From Collier Boulevard ROW	25 ft.		SPS	
From Eastern Project Boundary***	50 ft. <u>25 ft.</u>		15 ft.	
From Southern Project Boundary	200 ft. Minimum		200 ft. Minimum	
MINIMUM YARDS (Internal)				
Internal Drives/ ROW	10 ft.		10 ft.	
Rear	10 ft.		10 ft.	
Side	10 ft.		10 ft.	
Lakes (measured from control elevation)	25 ft.		20 ft.*	
Preserve	25 ft.		10 ft.	
MIN. DISTANCE BETWEEN STRUCTURES	1/2 the sum of building heights		10 ft.	
MAXIMUM HEIGHT***	ZONED	ACTUAL	ZONED	ACTUAL
Retail Buildings	45 ft.	65 ft.	35 ft.	45 ft.
Office Buildings and Hotel/ Motel	55 ft.	65 ft.	35 ft.	45 ft.
MINIMUM FLOOR AREA (ground floor)	1,000 sq. ft. **		N/A	
MAXIMUM GROSS COMMERCIAL AREA	270,000 sq. ft.		N/A	

* No structure may be located closer than 20 feet to the control elevation of a lake (allowing for the required minimum 20-foot wide lake maintenance easement).

** Per principal structure. Kiosk vendor, concessions, and temporary or mobile sales structures shall be permitted to have a minimum floor area of twenty-five (25) square feet and shall be subject to the accessory structure standards set forth in the LDC.

*** Any building located within exceeding 50 feet in height shall increase its setback by one foot for each one foot exceeding 50 feet of zoned height from the eastern PUD boundary is limited to a maximum zoned height of 35 ft. and a maximum actual height of 45 ft. No dumpster enclosure permitted within 105 feet of the eastern PUD boundary.

Note: Residential dwellings may be constructed above retail or office use.



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www.colliergov.net

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(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



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

Name and Address	% of Ownership

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

Name and Address	% of Ownership
BCHD Partners II, LLC	100%
Members of BCHD Partners II, LLC: BCAM, LLC & Metro Pelican, LLC	
Members of BCAM, LLC: Barron Collier Corporation &	
Barron Collier Partnership, LLLP	
Manager of Metro Pelican, LLC: Pelican Investors, LLC	

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:

Pelican Nursery MPUD – PL20170000768

Exhibit 1 Disclosure of Interest Information List Identifying Owner(s) and All Parties of Corporation

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

Tree Plateau Co. Inc. 100%
5637 Strand Boulevard, #201
Naples, FL 34110

Name and Address % of Ownership

Richard S. Talford, Sr., President
Gene M. Pranzo, Director
Carol Potter, Secretary and Treasurer

- 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:

BCAM, LLLP 50%
2600 Golden Gate Parkway
Naples, FL 34105

Name and Address % of Ownership

<u>Barron Collier Partnership, LLLP - LP</u>	<u>99.9000%</u>
Barron Collier Management, LLC	1.0000%
Juliet C. Sproul Family Inheritance Trust	24.7500%
Barron G. Collier III Lifetime Irrevocable Trust	24.7500%
Lamar Gable Lifetime Irrevocable Trust	12.3750%
FGVLIRT – Christopher D. Villere Family	4.1250%
FGVLIRT – Mathilde V. Currence Family	4.1250%
FGVLIRT – Lamar G. Villere Family	4.1250%
Phyllis G. Alden Lifetime Irrevocable Trust	12.3750%
Donna G. Keller Lifetime Irrevocable	12.3750%

<u>Barron Collier Corporation-GP</u>	<u>0.1000%</u>
Barron Collier III, President	
Katherine G. Sproul, Vice President	
Blakeslee R. Gable, Vice President	
Brian Goguen, Vice President	
Douglas E. Baird, Vice President	
Bradley A. Boaz, Secretary/Treasurer/Registered Agent	



Pelican Nursery MPUD – PL20170000768

Exhibit 1 Disclosure of Interest Information List Identifying Owner(s) and All Parties of Corporation

Shareholders

Juliet C. Sproul Family Inheritance Trust	25.0000%
Barron Collier III	25.0000%
Lamar Gable Revocable Trust dated 8/29/08	12.5000%
Frances G. Villere	12.5000%
Phyllis G. Alden	12.5000%
Donna G. Keller Irrevocable Trust	12.5000%

METRO PELICAN, LLC	50%
15205 Collier Blvd., Suite 205	
Naples, FL 34119	

<u>Name and Address</u>	<u>% of Ownership</u>
-------------------------	-----------------------

<u>Pelican Investors</u>	<u>66.67%</u>
Daniel J. Hughes 28.110%	
Thomas Londres 16.410%	
Stephen Niggeman 16.410%	
Paul Rumley 16.410%	
Glen Marvin 7.100%	
Daniel Brickner and Carylyn von Schaumburg 7.100%	
Joseph & Stephanie Dougherty h/w ATBTE 3.460%	
Eric Mallory 5.000%	

<u>IM951, LLC</u>	<u>33.33%</u>
Initus, Inc. 36%	
Timothy Schneider 18%	
Fredrickson Enterprises, Inc. 18%	
Bruce Douglas Olson, PA 18%	
Mangione Enterprises, Inc. 10%	





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

5/25/2024
Date

CHRISTOPHER SCOTT

Agent/Owner Name (please print)

AFFIDAVIT OF COMPLIANCE

I hereby certify that pursuant to Ordinance 2004-41, of the Collier County Land Development Code, I did cause the attached newspaper advertisement to appear and I did give notice by mail to the following property owners and/or condominium and civic associations whose members may be affected by the proposed land use changes of an application request for a rezoning, PUD amendment, or conditional use, at least 15 days prior to the scheduled Neighborhood Information Meeting. *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 and the date, time, and place of a Neighborhood Information Meeting.

Per the attached letters, property owner's list, and copy of newspaper advertisement which are hereby made a part of this Affidavit of Compliance.


 (Signature of Applicant)

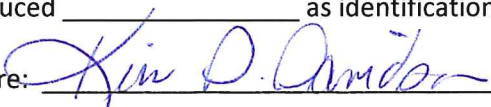
STATE OF FLORIDA
 COUNTY OF COLLIER

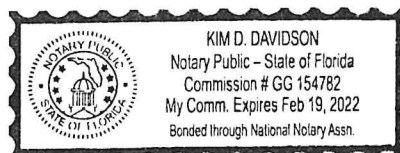
The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 25th day of May, 2021, by Christopher O. Scott.

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 Seal)

Notary Signature: 



May 3, 2021

Dear Property Owner:

Please be advised that a formal Planned Unit Development Insubstantial Change (PDI) application has been submitted to Collier County for the Baumgarten MPUD, located at the southeast intersection of Immokalee Road and Collier Boulevard.

TITLE

Request for an insubstantial change to Ordinance No. 19-11, as amended, the Baumgarten Mixed Use Planned Unit Development (MPUD), Exhibit B, Section I, Mixed-Use Development Standards, by decreasing the required minimum yard setback from the Eastern Project Boundary from 50 feet to 25 feet, removing the applicable provision that any building exceeding 50 feet in height shall increase its setback by one foot for each one foot exceeding 50 feet of zoned height from the eastern PUD boundary, and limiting the maximum height of principal structures within 50 feet of the Eastern Project Boundary to 35 feet zoned height and 45 feet actual height, located at the southeast quadrant of Immokalee Road (CR 846) and Collier Boulevard (CR 951) in Section 26, Township 48 South, Range 26 East, Collier County, Florida. [PL20210000379]

In compliance with the Land Development Code, a Neighborhood Information Meeting (NIM) will be held to provide you an opportunity to become fully aware of the development intentions and give you an opportunity to comment and ask questions. The NIM will be held on Wednesday, May 19, 2021 at 5:30 pm at Saint Monica's Episcopal Church, 7070 Immokalee Road, Naples, FL 34119.

The meeting will be conducted simultaneously through Zoom. If you are not able to attend the meeting in person and wish to attend via Zoom, please email me at CScott@pen-eng.com prior to the meeting to obtain a link.

At this meeting, we will make every effort to illustrate the proposed request and answer any questions. Should you have questions prior to the meeting, please contact me.

Sincerely,

PENINSULA ENGINEERING

Christopher O. Scott

Christopher O. Scott, AICP

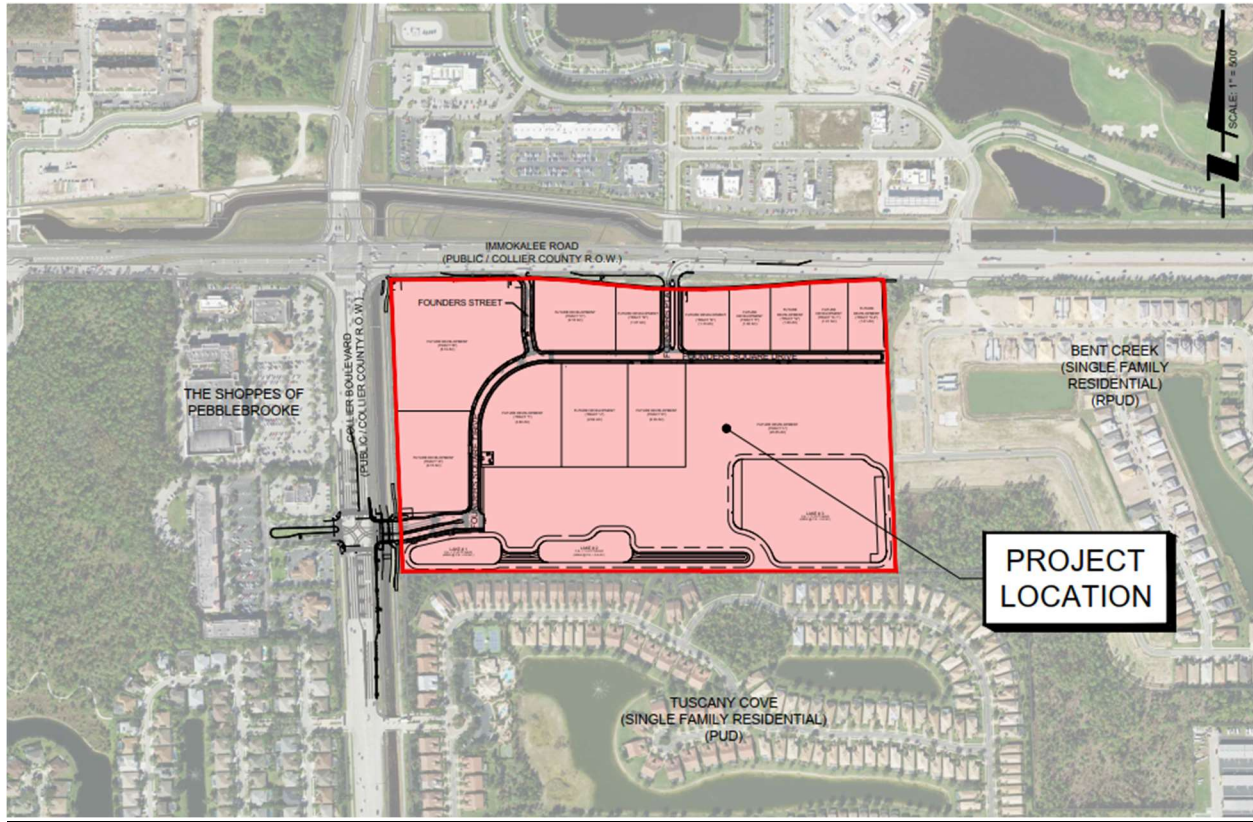
Zoning Manager

CScott@pen-eng.com

239-262-2600

Attachment: Attachment C - Hearing Package Backup (17593 : PL20210000379 PDI Baumgarten PUD Founder's Square)

PROJECT LOCATION



Timestamp
4/22/2021 13:47:28 (CDT)

City
Naples

Final Publication Date
5/4/2021 0:00:00 (CDT)

State
FL

Ad Number
GCI0637920

ZIP Code
34105

Publication
Daily News

Your Name
Michael Staley

Market
Naples

Email Address
mstaley@gannett.com

Delivery Method
Both

Number of Affidavits Needed
1

Customer Email
cscott@pen-eng.com

Customer Name
Barron Collier Co Display

Customer Address
2600 Golden Gate Parkway
Naples, Florida 34105

Account Number (If Known)
504366

Name
Chris Scott

Street
2600 Golden Gate Parkway

Naples Daily News

PART OF THE USA TODAY NETWORK

Published Daily
Naples, FL 34110

BARRON COLLIER CO DISPLAY
2600 GOLDEN GATE PARKWAY
NAPLES, FL 34105
ATTN CHRISS SCOTT

Affidavit of Publication
STATE OF WISCONSIN
COUNTY OF BROWN

Before the undersigned they serve as the authority, personally appeared who on oath says that they serve as **legal clerk** of the Naples Daily News, a daily newspaper published at Naples, in Collier County, Florida; distributed in Collier and Lee counties of Florida; that the attached copy of the advertising was published in said newspaper on dates listed. Affiant further says that the said Naples Daily News is a newspaper published at Naples, in said Collier County, Florida, and that the said newspaper has heretofore been continuously published in said Collier County, Florida; distributed in Collier and Lee counties of Florida, each day and has been entered as second class mail matter at the post office in Naples, in said Collier County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement and affiant further says that he has neither paid nor promised any person, or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

5/4/2021

Subscribed and sworn to before on May 4th, 2021:

Tara Mondloch

Notary, State of WI, County of Brown

TARA MONDLOCH
Notary Public
State of Wisconsin

My commission expires: August 6, 2021

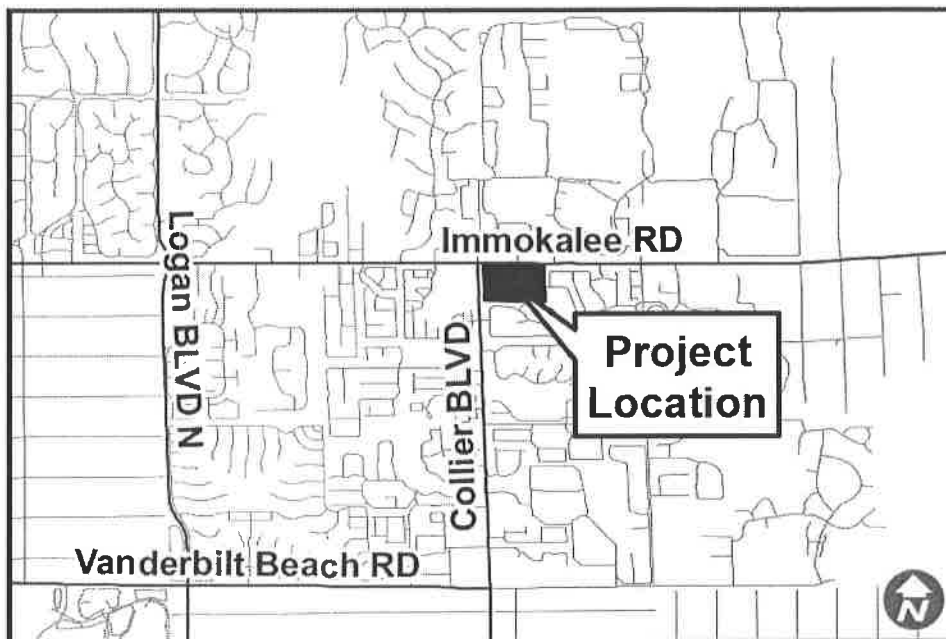
PUBLICATION COST: \$945.00
AD NO: GCI0637920
CUSTOMER NO: 504366
PO#: PUBLIC NOTICE

Attachment: Attachment C - Hearing Package Backup (17593 : PL20210000379 PDI Baumgarten PUD Founder's Square)

NEIGHBORHOOD INFORMATION MEETING

3.D.d

The public is invited to attend a neighborhood meeting held by Chris Scott of Peninsula Engineering, representing BCHD Partners II, LLC on May 19, 2021 at 5:30 pm at Saint Monica's Episcopal Church, 7070 Immokalee Road, Naples, FL 34119.



Request for an insubstantial change to Ordinance No. 19-11, as amended, the Baumgarten Mixed Use Planned Unit Development (MPUD), Exhibit B, Section I, Mixed-Use Development Standards, by decreasing the required minimum yard setback from the Eastern Project Boundary from 50 feet to 25 feet, removing the applicable provision that any building exceeding 50 feet in height shall increase its setback by one foot for each one foot exceeding 50 feet of zoned height from the eastern PUD boundary, and limiting the maximum height of principal structures within 50 feet of the Eastern Project Boundary to 35 feet zoned height and 45 feet actual height, located at the southeast quadrant of Immokalee Road (CR 846) and Collier Boulevard (CR 951) in Section 26, Township 48 South, Range 26 East, Collier County, Florida. [PL20210000379]

Business and property owners, residents and visitors are welcome to attend the presentation and discuss the project with the owner/developer and Collier County staff. If you are unable to attend this meeting in person, but have questions or comments or wish to attend simultaneously through Zoom, please contact:

Chris Scott, Planning Manager
Peninsula Engineering
2600 Golden Gate Parkway, Naples, FL 34105
cscott@pen-eng.com (239) 403-2600

ND-GC10637920-01

Attachment: Attachment C - Hearing Package Backup (17593 : PL20210000379 PDI Baumgarten PUD Founder's Square)

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: PL20210000379(PDI) | Buffer: 500' | Date: 4/1/2021 | Site Location: Baumgarten MPUD

NAME1	NAME2	NAME3	NAME4	NAME5	NAME6	LEGAL1	LEGAL2	LEGAL3	LEGAL4	FOLIO	ADDRESS
ABBOTT, ROBERT & SUSAN	10163 NW 48TH DR	79 PRIMROSE ST			CORAL SPRINGS, FL 33076--0	TUSCANY COVE	BLK F LOT 429			78532904169 U	
ADDONNETTO, MAURIZIO C	STEVEN J D'AMBROSIO	ATTN: JOANN LANE	1100 SUMMER ST #401		KATONAH, NY 10536--3105	TUSCANY COVE	BLK A LOT 237			78532901285 U	
ADVANCED ORANGESBURG LLC	STANFORD, CT 10824--0				STANFORD, CT 10824--0	HERITAGE BAY COMMONS TRACT D	REPLAT LOT 1			49660084459 U	
AGUILAR, JOHN J & JULIANN P	9103 WOODHURST DR				NAPLES, FL 34120--0	BENT CREEK PRESERVE PHASE 2B	BLOCK C LOT 586			23915011283 U	
AGUILAR, JOHN J & JULIANN P	JESSICA ARLENE AGUILAR	9099 WOODHURST DR			NAPLES, FL 34120--0	BENT CREEK PRESERVE PHASE 2B	BLOCK C LOT 587			23915012306 U	
ALLEN, MILLARD TROY	CATHY ANN ALLEN	14965 TOSCANO WAY			NAPLES, FL 34120--0	TUSCANY COVE	BLK A LOT 212			78532900781 U	
ALTMAN, SVETLANA	9089 GLENFOREST DR				NAPLES, FL 34120--0	BENT CREEK PRESERVE PHASE 2B	BLOCK E LOT 599			23915012542 U	
ALTON, DARNELL LEE & KAREN	2119 ISLA DE PALMA CIR				NAPLES, FL 34119--0	TUSCANY COVE	BLK K LOT 254			78532901023 U	
AMEN III, HENRY FRANCIS	LINDSAY ANN AMEN	15472 CORTONA WAY			NAPLES, FL 34120--0	TUSCANY COVE	BLK F LOT 449			78532904567 U	
AMERIVEN LLC	3039 ELLICE WAY				NAPLES, FL 34119--1603	TUSCANY COVE	BLK D LOT 332			78532903186 U	
BANDUS, MICHAEL & KARLA A	9096 GLENFOREST DR				NAPLES, FL 34120--0	BENT CREEK PRESERVE PHASE 2B	BLOCK D LOT 514			23915011048 U	
BANK OF AMERICA NA	ATT CORP RE ASSE NC1 001 03 81	101 N TRYON ST			CHARLOTTE, NC 28255--1	PEBBLEBROOKE COMM PHASE IV	TRACT 4			66261901429 U	
BCHD PARTNERS I LLC	% HALSTATT FUND	% HALSTATT FUND			NAPLES, FL 34105--0	FOUNDERS SQUARE	TRACT C			33155000081 U	
BCHD PARTNERS II LLC	% HALSTATT FUND	2600 GOLDEN GATE PKWY			NAPLES, FL 34105--0	FOUNDERS SQUARE	TRACT D			33155000087 U	
BCHD PARTNERS II LLC	% HALSTATT FUND	2600 GOLDEN GATE PKWY			NAPLES, FL 34105--0	FOUNDERS SQUARE	TRACT E			33155000100 U	
BCHD PARTNERS II LLC	% HALSTATT FUND	2600 GOLDEN GATE PKWY			NAPLES, FL 34105--0	FOUNDERS SQUARE	TRACT F			33155000126 U	
BCHD PARTNERS II LLC	% HALSTATT FUND	2600 GOLDEN GATE PKWY			NAPLES, FL 34105--0	FOUNDERS SQUARE	TRACT G			33155000142 U	
BCHD PARTNERS II LLC	% HALSTATT FUND	2600 GOLDEN GATE PKWY			NAPLES, FL 34105--0	FOUNDERS SQUARE	TRACT H-1			33155000168 U	
BCHD PARTNERS II LLC	% HALSTATT FUND	2600 GOLDEN GATE PKWY			NAPLES, FL 34105--0	FOUNDERS SQUARE	TRACT H-2			33155000184 U	
BCHD PARTNERS II LLC	% HALSTATT FUND	2600 GOLDEN GATE PKWY			NAPLES, FL 34105--0	FOUNDERS SQUARE	TRACT I			33155000207 U	
BCHD PARTNERS II LLC	% HALSTATT FUND	2600 GOLDEN GATE PKWY			NAPLES, FL 34105--0	FOUNDERS SQUARE	TRACT J			33155000223 U	
BCHD PARTNERS II LLC	% HALSTATT FUND	2600 GOLDEN GATE PKWY			NAPLES, FL 34105--0	FOUNDERS SQUARE	TRACT R1			33155000809 U	
BCHD PARTNERS II LLC	% HALSTATT FUND	2600 GOLDEN GATE PKWY			NAPLES, FL 34105--0	FOUNDERS SQUARE	TRACT A			33155000029 U	
BCHD PARTNERS II LLC	% HALSTATT FUND	2600 GOLDEN GATE PKWY			NAPLES, FL 34105--0	FOUNDERS SQUARE	TRACT B			33155000045 U	
BEAVERS, REBECCA A	NELLIE M CUMMINS	14978 TOSCANA WAY			NAPLES, FL 34120--683	TUSCANY COVE	BLK D LOT 349			78532903526 U	
BELL, TYLER & ANNA	15416 CORTONA WAY				NAPLES, FL 34120--0	TUSCANY COVE	BLK F LOT 438			78532904347 U	
BEN CREEK PRESERVE HOMEOWNERS	ASSOCIATION INC	1044 CASTELLO DR #206			NAPLES, FL 34103--0	BENT CREEK PRESERVE PHASE 2B	TRACT 34			23915010188 U	
BEN CREEK PRESERVE HOMEOWNERS	ASSOCIATION INC	1044 CASTELLO DR #206			NAPLES, FL 34103--0	BENT CREEK PRESERVE	TRACT 12			23915011504 U	
BEN CREEK PRESERVE HOMEOWNERS	ASSOCIATION INC	1044 CASTELLO DR #206			NAPLES, FL 34103--0	BENT CREEK PRESERVE	TRACT P1			23915001427 U	
BEN CREEK PRESERVE HOMEOWNERS	ASSOCIATION INC	1044 CASTELLO DR #206			NAPLES, FL 34103--0	BENT CREEK PRESERVE PHASE 2B	TRACT 33			23915010162 U	
BEN CREEK PRESERVE HOMEOWNERS	ASSOCIATION INC	1044 CASTELLO DRIVE #206			NAPLES, FL 34103--0	BENT CREEK PRESERVE PHASE 2B	TRACT 26			23915010023 U	
BEN CREEK PRESERVE HOMEOWNERS	ASSOCIATION INC	1044 CASTELLO DRIVE #206			NAPLES, FL 34103--0	BENT CREEK PRESERVE PHASE 2B	TRACT 32			23915010146 U	
BEN CREEK PRESERVE HOMEOWNERS	ASSOCIATION INC	1044 CASTELLON DRIVE			NAPLES, FL 34103--0	BENT CREEK PRESERVE PHASE 2B	TRACT H-1			23915010301 U	
BEN CREEK PRESERVE HOMEOWNERS	ASSOCIATION INC	1044 CASTELLO DRIVE #206			NAPLES, FL 34103--0	BENT CREEK PRESERVE PHASE 2B	TRACT R3			23915010227 U	
BERCI, RAUL & NATALIYA	14957 TOSCANA WAY				NAPLES, FL 34120--0	TUSCANY COVE	BLK A LOT 210			78532900749 U	
BINGHAM, DANIEL J & KAREN M	15464 CORTONA WAY				NAPLES, FL 34120--0	TUSCANY COVE	BLK F LOT 447			78532904525 U	
BOUTIN, GARY J & SALLY	14994 TOSCANA WAY				NAPLES, FL 34120--0	TUSCANY COVE	BLK D LOT 352			78532900384 U	
BRADBURY, CHRISTOPHER VINCENT	14946 WOODHURST DR				NAPLES, FL 34120--0	BENT CREEK PRESERVE PHASE 2B	TRACT A			23915011721 U	
BRITZ, JOSEPH C & TATIANA O	15448 CORTONA WAY				NAPLES, FL 34120--0	TUSCANY COVE	BLK F LOT 443			78532904444 U	
BRUNSMAN, EDWARD ARTHUR	NORA BRUNSMAN	6420 HUNTERS ROAD			NAPLES, FL 34109--0	BENT CREEK PRESERVE PHASE 2B	BLK A LOT 545			23915011666 U	
BRUSCATO, NORA	9052 GLENFOREST DRIVE				NAPLES, FL 34120--0	BENT CREEK PRESERVE PHASE 2B	BLOCK D LOT 525			23915011268 U	
BUDHIRAJA, HARPREET K	3320 PILOT CIRCLE				NAPLES, FL 34120--0	BENT CREEK PRESERVE PHASE 2B	BLOCK D LOT 524			23915011242 U	
BUONICCONTI, JOSEPH & BERTHA	14940 TOSCANA WAY				NAPLES, FL 34120--683	TUSCANY COVE	BLK D LOT 341			78532903364 U	
CAMERON PARTNERS II LLC	11586 QUAIL VILLAGE WAY				NAPLES, FL 34119--0	HERITAGE BAY COMMONS TRACT D	REPLAT TRACT R			49660084427 U	
CAMERON PARTNERS LLC	11586 QUAIL VILLAGE WAY				NAPLES, FL 34119--0	CAMERON COMMONS UNIT ONE TRACT 5	4			25118010080 U	
CAMERON PARTNERS LLC	11586 QUAIL WAY				NAPLES, FL 34117--0	CAMERON COMMONS UNIT ONE TRACT 5	BLK F LOT 441			25118010103 U	
CAMPO, THOMAS J & LOUISE M	15436 CORTONA WAY				NAPLES, FL 34120--678	TUSCANY COVE	78532904402 U			78532904402 U	
CANINO, JOSEPH JAMES	9102 WOODHURST DR				NAPLES, FL 34120--0	BENT CREEK PRESERVE PHASE 2B	TRACT 1			23915011501 U	
CARUSO, PAUL & ANNA	355 THOROUGHbred LN				ROSELLE, IL 60172--1152	TUSCANY COVE	BLK A LOT 536			78532901269 U	
CHRISTODOULAKIS, KOSITIS	MARIKA CHRISTODOULAKIS	22 TIMBER RIDGE CT			VALPARAISO, IN 46385--8513	TUSCANY COVE	BLK G LOT 459			78532904761 U	
COLEMAN, SCOTT	JOSHUA KAPLAN	15417 CORTONA WAY			NAPLES, FL 34120--676	TUSCANY COVE	BLK G LOT 469			78532904965 U	
COLLIER CNTY	3299 TAMiami TRAIL EAST	% OFFICE OF COUNTY ATTORNEY SUITE 800			NAPLES, FL 34112--0	FOUNDERS SQUARE	TRACT R2			33155000825 U	
COLLIER CNTY	TRANSPORTATION RIGHT-OF-WAY	2885 HORSESHOE DRIVE S			NAPLES, FL 34104--0	HERITAGE BAY COMMONS TRACT R-1	R/W AS DESC IN OR 4413 PG 3834			03190041463 U	
COLLIER CNTY	TRANSPORTATION RIGHT-OF-WAY	2885 HORSESHOE DRIVE S			NAPLES, FL 34104--0	HERITAGE BAY COMMONS TRACT R-1				49660084265 U	
COLLIER CNTY	TRANSPORTATION RIGHT-OF-WAY	2885 HORSESHOE DRIVE S			NAPLES, FL 34104--0	HERITAGE BAY COMMONS TRACT R-4				49660084281 U	
COLLIER CNTY	TRANSPORTATION RIGHT-OF-WAY	2885 HORSESHOE DRIVE S			NAPLES, FL 34104--0	PEBBLEBROOKE LAKES	AND THOSE PORTIONS OF TRACT A, TRACT J, TRACT K FOR R/W AS	DESC IN OR 4333 PG 4184		49660084320 U	
COMERO, HECTOR B NIRKA	1090 6TH AVE N				NAPLES, FL 34104--4961	BENT CREEK PRESERVE PHASE 2B	THAT PORTION OF TRACT R-1 DESC IN OR 2397 PG 2190			66262004480 U	
COSTABILE II, RICHARD L	RACHAEL C COSTABILE	9083 WOODHURST DRIVE			NAPLES, FL 34102--0	BENT CREEK PRESERVE PHASE 2B	BLOCK C LOT 591			23915011022 U	
COWLEY, DONNA LEE	15456 CORTONA WAY				NAPLES, FL 34120--678	TUSCANY COVE	BLK F LOT 445			78532904486 U	
CRONIN, STEPHEN R & CLARE M	15481 CORTONA WAY				NAPLES, FL 34120--676	TUSCANY COVE	BLK G LOT 453			78532904648 U	
CROWDER, DALE	10369 WILD TURKEY AVE				BONITA SPRINGS, FL 34135--0	TUSCANY COVE	BLK G LOT 457			78532904729 U	
CUOMO, ANTHONY M & PATRICIA A	19 CANNON DR				NEWTOWN, CT 06460--1745	BLK F LOT 426				78532901426 U	
CVS 75479 FL L L C	% CVS CAREMARK CORPORATION	1 CVS DR #8927-01			WOONSOCKET, RI 02895--6146	CAMERON COMMONS UNIT ONE TRACT 2				25118010048 U	
DAIGLE, ROBERT J	14927 VOLTERRA CT				NAPLES, FL 34120--687	TUSCANY COVE	BLK D LOT 328			78532903102 U	
DD PELICAN LLC	403 CORPORATE CENTER DR	SUITE 201			STOCKBRIDGE, GA 30281--0	FOUNDERS SQUARE	TRACT L			33155000265 U	
DD PELICAN LLC	403 CORPORATE CENTER DR	SUITE 201			STOCKBRIDGE, GA 30281--0	FOUNDERS SQUARE	TRACT L-1			33155000760 U	
DD PELICAN LLC	403 CORPORATE CENTER DRIVE	SUITE 201			STOCKBRIDGE, GA 30281--0	FOUNDERS SQUARE	TRACT L-2			33155000766 U	
DEAN III, JAMES EDWARD	JANE ELLEN DEAN	15480 CORTONA WAY			NAPLES, FL 34120--678	TUSCANY COVE	BLK F LOT 451			78532904606 U	
DEJESUS, KATHY S	15477 CORTONA WAY				NAPLES, FL 34120--676	TUSCANY COVE	BLK G LOT 454			78532904664 U	
DESIANO, VINCENT	9095 WOODHURST DR				NAPLES, FL 34120--0	BENT CREEK PRESERVE PHASE 2B	BLOCK C LOT 588			23915012322 U	
DOMINIC, AJITH K	ELIZABETH S AJITH-KUMAR	9314 GLENFOREST DR			NAPLES, FL 34120--0	BENT CREEK PRESERVE PHASE 2B	BLOCK D LOT 523			23915011226 U	
DONNELLY, ROBERT C	9151 WOODHURST DR				NAPLES, FL 34120--0	BENT CREEK PRESERVE PHASE 2B	BLOCK B LOT 585			23915011267 U	
DUENAS, GERALDINA & CARLOS	15453 CORTONA WAY				NAPLES, FL 34120--0	TUSCANY COVE	BLK G LOT 460			78532904787 U	
EDWARDS, BOBBI JO	9086 WOODHURST DR				NAPLES, FL 34120--0	BENT CREEK PRESERVE PHASE 2B	BLOCK A LOT 533			23915011420 U	
EDWARDS, LAURA	9074 WOODHURST DR				NAPLES, FL 34120--0	BENT CREEK PRESERVE PHASE 2B	BLOCK A LOT 530			23915011365 U	
EHMANN, KLAUS & EYVOR	14901 TOSCANA WAY				NAPLES, FL 34120--682	TUSCANY COVE	BLK F LOT 419			78532903986 U	
ELAN, ILAN	3570 ENTERPRISE AVE # 100				NAPLES, FL 34104--3604	TUSCANY COVE	BLK F LOT 418			78532903940 U	
EPHYTTES LLC	3039 ELLICE WAY				NAPLES, FL 34119--1603	BENT CREEK PRESERVE PHASE 2B	BLOCK B LOT 581			23915012186 U	
ESPINOSA, JOSUE JAMIN	ALISA ESTELLE PAVLICK	2022 LAGUNA WAY			NAPLES, FL 34109--0	BENT CREEK PRESERVE PHASE 2B	BLOCK A LOT 532			23915011404 U	
FELICIANO, WILFREDITH & NANCY	15041 TOSCANA WAY				NAPLES, FL 34120--0	TUSCANY COVE	BLK A LOT 231			78532901162 U	
FLYNN, THERESA	MICHAEL BUCCINO	15017 TOSCANA WAY			NAPLES, FL 34120--0	TUSCANY COVE	BLK A LOT 225			78532901049 U	
FLORES, FEDERICO & ANGELA	121 WINFIELD STREET				STATEN ISLAND, NY 10305--0	FOUNDERS SQUARE	TRACT L			78532903267 U	
FOUNDERS SQUARE STORAGE LLC	CHILDCARE MCFARLAND LLC	6728 JAMESTOWN DR			ALPHARETTA, GA 30005--0	FOUNDERS SQUARE	TRACT K			33155000249 U	
FRASHERI, EDRIIT	15485 CORTONA WAY				NAPLES, FL 34120--676	TUSCANY COVE	BLK G LOT 452			78532904622 U	
FRENDT, MICHAEL J & DIANA	13788 COTTAGE DRIVE				GRAND HAVEN, MI 49417--0	BENT CREEK PRESERVE PHASE 2B	BLOCK D LOT 516			23915011080 U	
GASPAR, AMAURY & LEYANIS	14963 TOSCANA WAY				NAPLES, FL 34120--0	TUSCANY COVE	BLK A LOT 209			78532900723 U	
GREEN, BONNI SUE	2209 CANARY ISLAND CV				NAPLES, FL 34119--0	TUSCANY COVE	BLK A LOT 203			78532900690 U	
GENAO, RAISA	15057 TOSCANA WAY				NAPLES, FL 34120--685	TUSCANY COVE	BLK A LOT 235			78532901243 U	
GEORGIEVA, DANIELA	BORISLAV BORISOV	14924 TOSCANA WAY			NAPLES, FL 34120--0	TUSCANY COVE	BLK D LOT 337			78532903283 U	
GONZALEZ, YOHANNA LISBETH	9106 WOODHURST DR				NAPLES, FL 34120--0	BENT CREEK PRESERVE PHASE 2B	BLOCK A LOT 538			23915011527 U	
GRECO, FRANK & CHRISTA K	14974 TOSCANA WAY				NAPLES, FL 34120--683	TUSCANY COVE	BLK D LOT 348			78532903500 U	
GURAJAPU, JAGADISH	BARBARA J PEARL	14915 VOLTERRA COURT			NAPLES, FL 34120--0	TUSCANY COVE	BLK D LOT 331			78532903160 U	
HAHN, DAVID ADAM	JAYASREE GURAJAPU	15461 CORTONA WAY			NAPLES, FL 34120--676	TUSCANY COVE	BLK G LOT 458			78532904745 U	
HENRY, JEREMY L	9138 WOODHURST DR				NAPLES, FL 34120--0	BENT CREEK PRESERVE PHASE 2B	BLK A LOT 546			23915011682 U	
HIGHLEY, ROBERT & GEORGIANA	SHELLEY L COCHRAN	9091 WOODHURST DR			NAPLES, FL 34120--0	BENT CREEK PRESERVE PHASE 2B	BLOCK C LOT 589			23915012348 U	
HUGHES, SCOTT E & TAPAS S	15473 CORTONA WAY				NAPLES, FL 34120--0	TUSCANY COVE	BLK G LOT 455			78532904680 U	
INLAND PROPERTIES LLC	14973 TOSCANA WAY				NAPLES, FL 34120--0	TUSCANY COVE	BLK A LOT 214			78532900620 U	
ISAACS, COLIN & SHERON	2913 86TH ST SW				NAPLES, FL 34105--0	BENT CREEK PRESERVE PHASE 2B	BLOCK A LOT 536			23915011488 U	
ISATOIG2017 LLC	15005 TOSCANA WAY				NAPLES, FL 34120--0	TUSCANY COVE	BLK A LOT 222			78532900985 U	
JACKSON, JOSHUA THOMAS	14977 TOSCANA WAY				NAPLES, FL 34120--0	TUSCANY COVE	BLK A LOT 215			78532900846 U	
JACOBS, LORRAYNE & JOHN	KELLY ANN JACKSON	15441 CORTONA WAY	</								

Packet Pg. 334

Attachment: Attachment C - Hearing Package Backup (17593 : PL20210000379 PDI Baumgarten PUD

**BAUMGARTEN MPUD PDI (PL20210000379)
NEIGHBORHOOD INFORMATION MEETING SUMMARY**

Wednesday, May 19, 2021

BEGIN 5:40PM

Chris Scott: Welcome everyone, my name is Chris Scott, Planner with Peninsula Engineering. This is a Neighborhood Information Meeting for the Baumgarten PUD. We're requesting an Insubstantial Change. I'm sure you are all aware of the property. It's the old Fogg's Nursery, also known as Founders Square; there is definitely a lot going on currently if you driven by recently.

Also with me today is, back at the computer, Jessica Harrelson, another planner with Peninsula. John English and Dan Waters, two of our Engineers; Dan has been the primary project Engineer for most of the Founder's Square development. And Eric Mallory with Metro Commercial is the managing entity of the development.

This meeting is being broadcast on Zoom. We did not have anyone register, so I don't believe anyone is actually attending on Zoom.

Also, I would like to point out – I forgot to mention, John Kelly is the planner with Collier County who is reviewing the petition and Ray Bellows who is the Zoning Manager for Collier County. They are here as observers, I believe and not active participants.

So I'm going to skip through these Zoom slides since we don't have anyone on Zoom and get straight to the presentation. Since we're small in size we'll keep it somewhat informal and really open it up for you guys to have questions if you have any.

This is the location for Founders Square. The lots and streets you see are the platted lots and streets. On the north side is Immokalee Road and Heritage Bay. Bent Creek Preserve is immediately to the east; Tuscany Cove is to the south and Pebblebrook shopping center is across Collier Boulevard to the west.

Just a little background. The zoning was originally approved in June of 2019. This, as I said was the old Fogg's Nursery. Being at the intersection of Immokalee Road and Collier Boulevard it was identified as an Activity Center in Collier County's Future Land Use Map. When it was rezoned...

(Unintelligible) ...

Chris: Oh, Pelican Nursery. Excuse me. Yes, the school was Fogg's Nursery. So when it was rezoned it was zoned as a Mixed Use Planned Unit Development. It was approved for up to 270,000 square feet of commercial uses and 400 residential units. And last year there was an Insubstantial Change approved for some deviations. Those deviations included some additional ground signs for some of the outparcels and some landscape deviations for potential gas station.

Attachment: Attachment C - Hearing Package Backup (17593 : PL20210000379 PDI Baumgarten PUD Founder's Square)

A little more of the project history and the actual development going on out there. This aerial shows projects that are in the planning stages or actually in construction. The development approvals to date include the Founders Square Plat which laid out the internal streets, lots, master stormwater, utilities and buffers. After that, the Haldeman Luxury Apartments Site Development Plan were approved for 400 units, shown in yellow. The medical office building, just under 34000 square feet was approved on Collier Boulevard. Storage building and the Pointe, slightly under 40,000 square feet, mostly consisting of restaurant and retail uses. The County is also currently reviewing a site plan application for a 7-Eleven gas station that includes 16 fueling stations and it is located at the main entrance from Immokalee Road.

This request..you want me to go back; were you taking a picture?

No problem....did you get a picture? OK.

This Insubstantial Change request is to reduce a setback for the Mixed Use section of the Planned Unit Development. Currently there is a setback requirement to the Eastern Boundary of the PUD of 50 feet. The request is to lower that to 25 feet. This is limited to the Mixed Use Development Section so that only affects one outparcel in the very northeast corner of the development adjacent to Bent Creek Preserve. In addition to reducing the setback, we are proposing to lower the height of the building too so you don't get a tall building. The building height currently is 50', up to 55' for office. We are lowering that to 35' if you want to be located closer than 50' to the eastern property boundary. Again, this only affects one tract in the PUD which is identified as Tract H-2. It's the one that is highlighted on the Master Concept Plan.

This is a copy of the actual table and the text that is being changed. The portion that is highlighted is shown in a strikethrough underline format. So, it shows the 50 foot setback being reduced and the 25 foot setback being added. You can see those three asterisks; there is also three asterisks to the right. That is a footnote and it is shown on the right hand of the screen. That reflects the requirement to limit the height of the building to 35 zoned height and 45 actual height if a building is going to be located within 50 feet of the PUD boundary. I'd like to point out, if you're looking at this table, the 25 foot setback is greater than the 15 foot setback that is currently allowed for accessory structures on that lot. And the zoned height that we're proposing to limit it to is consistent with the zoned and actual heights for accessory structures that are allowed on that lot.

The property is buffered from...to bent Creek Preserve. There is a 15 foot Type B buffer that includes a 5' hedge, there's an 8 foot tall wall and trees. Additionally, there's a minimum 15' Type B buffer on Bent Creek's side as well. As you move north there's an indigenous vegetation area so... At a minimum you have a 30' of open space before you get to the residential lot and as you move north that increases to about 105 feet.

I've got some cross sections that kind of illustrate the current standard. As you're looking at this cross section. To the right would be Bent Creek Preserve with a 21' tall structure, which is consistent with the buildings that have been built there. Those

buildings have been setback 16 feet from the rear of their property line, then you have their 15 foot buffer before you reach the Founder Square property. Then you have another 15 foot buffer with a wall and an additional 10 feet that is part of a utility easement. This shows a 50 foot tall building with a 50 foot setback. With the proposed changes, we would allow a 35 tall building but it would be closer at 25 feet.

This is drone footage that was done on May 5 looking at the property from the north to the southwest. You can see Bent Creek in the foreground, then the construction and the apartments going up and the commercial outparcel is height behind the Bent Creek Section and I'm going to zoom in so you can see the buffers and the wall a little bit better. That shows the separation of where that reduced setback would be.

At this point I don't have anything else. If you have questions I'm happy to answer those.

Renalte Meyer: (Audio not picked up on Zoom recording. Italicized text is a summary) *Concerns on how cross sections were measured – they should be shown to the property line, not the houses. Concerns on construction going on and who maintains the buffer. Concerned with timing of the Neighborhood Meeting in that people cannot attend because they are on their way home from work at this time. Felt that her comments don't matter because it is a done deal.*

Chris: Thank you. This is proposed language, so it is not approved. The new verbiage we're proposing is to reduce the setback and the height. The process that's involved is that we have the NIM...

Renalte: *Concerned that Wednesdays are when Bent Creek has their HOA meeting*

Chris: I was not aware of their Board meeting schedule. So this will eventually get scheduled for a public hearing with the Hearing Examiner. So we're required to have this neighborhood meeting prior before the public hearing can be scheduled. There is another opportunity for public hearing and that is where the final decision will be made by the Hearing Examiner.

In regards to the setbacks, there is a 15 foot setback before you get to their property line and there is a 10' distance before the house. So there is a total of 15 feet from the Bent Creek property line and then 25 feet on the Founders Square side.

Renalte: *(unintelligible)*

Chris: Their lanai could be within 5 feet of the rear property line. This cross section is an actual cross section based on the spot survey for that house so it is reflective of the existing conditions. Any other questions?

Dale Walters: *Concerns with workers doing work after hours and on Sundays; have filed code complaints. Was told by Commissioners and attorney for client (Rich Yovonovich) that the development would provide a wall or screening between parking and Tuscan Cove to the south. Needed to block car lights in apartment parking lot aimed at residences.*

Chris: Dan, do you have any information on that?

Dan Waters: *In regards to issues with construction, those should be addressed by the general contractor for each building project. The PUD includes a commitment for a wall on the eastern boundary adjacent to Bent Creek, which is in. There is a fence on southern boundary and I'll look into whether there is additional requirement for screening within the fence.*

Chris: I don't have a copy with me, but I do recall the PUD including something regarding the entrance to Tuscany Cove interconnection and can follow up.

Renalte: *Concerns about the number of parking spaces for apartments. Does not seem to be enough parking.*

Chris: The Site Development Plan are reviewed to ensure they meet parking requirements. Generally, for multi-family it is one parking space per unit, plus visitor parking based on the size of the unit...number of bedrooms. And then there is additional requirement for recreational facilities.

Renalte: *Is it all parking lot...doesn't look like there is enough.*

Dan: *Most of the parking is surface lot but there are some units that have separate garages.*

Chris: Any other questions, comments, concerns? Then we'll end this meeting. I appreciate you coming out and expressing your concerns. We'll get you copies of the PUD and look into if there was a wall requirement. Thank you.

END 6:05 PM.

Baumgarten PUD Insubstantial Change (PL20210000379)
Neighborhood Information Meeting Sign-In Sheet

Wednesday, May 19, 2021 5:30-6:30
St. Monica's Episcopal Church

[illegible]

FOUNDERS SQUARE

A SUBDIVISION LOCATED IN SECTION 26, TOWNSHIP 48 SOUTH, RANGE 26 EAST,
COLLIER COUNTY, FLORIDA.

PLAT BOOK ~~67~~ ⁶⁷ PAGE ~~9~~ ⁹
SHEET 1 OF 4

NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

DEDICATIONS/RESERVATIONS

STATE OF FLORIDA
COUNTY OF COLLIER

KNOWN ALL MEN BY THESE PRESENTS THAT:

TREE PLATEAU CO., INC., A DELAWARE CORPORATION, THE OWNER OF THE LANDS DESCRIBED HEREON, HAS CAUSED THIS PLAT ENTITLED "FOUNDERS SQUARE" TO BE MADE AND DOES HEREBY DEDICATE OR RESERVE THE FOLLOWING:

- DEDICATE TO THE FOUNDERS SQUARE UMBRELLA ASSOCIATION, INC., ITS SUCCESSORS AND OR ASSIGNS:
 - TRACT "R1" (FOUNDERS SQUARE DRIVE, FOUNDERS STREET, & FOUNDERS PLACE), AS A PRIVATE ROAD RIGHT-OF-WAY, SUBJECT TO EASEMENTS DEPICTED THEREON (R.O.W., A.E., D.E., C.U.E. & P.U.E.), WITH RESPONSIBILITY FOR MAINTENANCE.
 - TRACTS "L-1" AND "L-2" (LAKE, L.M.E., A.E. AND D.E.) WITH RESPONSIBILITY FOR MAINTENANCE.
 - ALL ACCESS EASEMENTS (A.E.) AS DEPICTED ON THIS PLAT WITH RESPONSIBILITY FOR MAINTENANCE.
 - ALL DRAINAGE EASEMENTS (D.E.) AS DEPICTED ON THIS PLAT WITH RESPONSIBILITY FOR MAINTENANCE.
 - ALL LAKE MAINTENANCE EASEMENTS (L.M.E.) AS DEPICTED ON THE PLAT WITH RESPONSIBILITY FOR MAINTENANCE.
 - ALL LANDSCAPE BUFFER EASEMENTS (L.B.E.) AS DEPICTED ON THIS PLAT WITH RESPONSIBILITY FOR MAINTENANCE BUT SUBJECT TO RESERVATION 2C BELOW AND SUBJECT FURTHER TO THE TERMS OF THE UMBRELLA DECLARATION.
 - ALL SIGN EASEMENTS (S.E.) AS DEPICTED ON THIS PLAT WITH RESPONSIBILITY FOR MAINTENANCE, AND SUBJECT TO THE RIGHTS OF SPECIFIC OWNERS AS TO SIGNAGE LOCATED THEREIN, PURSUANT TO THE TERMS OF THE UMBRELLA DECLARATION.
- RESERVE TO TREE PLATEAU CO. INC, A FLORIDA CORPORATION, ITS SUCCESSORS AND OR ASSIGNS:
 - TRACTS "A", "B", "C", "D", "E", "F", "G", "H-1", "H-2", "I", "J", "K", & "L" AS FUTURE DEVELOPMENT SUBJECT TO EASEMENTS DEPICTED THEREON.
 - TRACT "R2", AS A FUTURE ROAD RIGHT-OF-WAY RESERVATION WITH RESPONSIBILITY FOR MAINTENANCE, UNTIL THE CONVEYANCE TO COLLIER COUNTY PURSUANT TO THE BAUMGARTEN MPUD DEVELOPER AGREEMENT (O.R. 5643, PG. 2526, THE "DEVELOPER AGREEMENT"). COLLIER COUNTY WILL ASSUME RESPONSIBILITY FOR TRACT "R2" ONCE THE WARRANTY DEED HAS BEEN CONVEYED AND ACCEPTED BY COLLIER COUNTY.
 - THE RIGHT TO GRANT TO COLLIER COUNTY AND/OR ITS DESIGNEES, A NON-EXCLUSIVE UTILITY EASEMENT ALONG THE NORTH 20 FEET OF TRACTS "B", "C", "D", "E", "F", "G", "H-1", AND "H-2" TO ACCOMMODATE FUTURE FPL TRANSMISSION AND DISTRIBUTION LINES AS SET FORTH MORE PARTICULARLY IN SECTION 5 OF THE DEVELOPER AGREEMENT.
 - TRACTS "L-1" AND "L-2" (LAKE, L.M.E., A.E. AND D.E.) WITH NO RESPONSIBILITY FOR MAINTENANCE.
 - ALL ACCESS EASEMENTS (A.E.) AS DEPICTED ON THIS PLAT WITH NO RESPONSIBILITY FOR MAINTENANCE.
 - ALL DRAINAGE EASEMENTS (D.E.) AS DEPICTED ON THIS PLAT WITH NO RESPONSIBILITY FOR MAINTENANCE.
 - ALL LAKE MAINTENANCE EASEMENTS (L.M.E.) AS DEPICTED ON THE PLAT WITH NO RESPONSIBILITY FOR MAINTENANCE.
 - ALL LANDSCAPE BUFFER EASEMENTS (L.B.E.) AS DEPICTED ON THIS PLAT WITH NO RESPONSIBILITY FOR MAINTENANCE.
 - ALL SIGN EASEMENTS (S.E.) AS DEPICTED ON THIS PLAT WITH NO RESPONSIBILITY FOR MAINTENANCE, AND SUBJECT TO THE RIGHTS OF SPECIFIC OWNERS AS TO SIGNAGE LOCATED THEREIN, PURSUANT TO THE TERMS OF THE UMBRELLA DECLARATION.
- DEDICATE TO COLLIER COUNTY, ITS FRANCHISES, AND GREATER NAPLES FIRE RESCUE DISTRICT:
 - A NON-EXCLUSIVE ACCESS EASEMENT (A.E.) OVER AND ACROSS TRACTS "R1" & "R2" (FOUNDERS SQUARE DRIVE, FOUNDERS STREET, & FOUNDERS PLACE), FOR THE PURPOSE OF PERMITTING EMERGENCY AND OTHER SERVICE VEHICLES TO ACCESS THE PROPERTIES DEPICTED ON THIS PLAT, WITH NO RESPONSIBILITY FOR MAINTENANCE.
- DEDICATE TO COLLIER COUNTY WATER-SEWER DISTRICT:
 - THAT ALL COUNTY UTILITY EASEMENTS (C.U.E.) FOR POTABLE WATER, NON-POTABLE IRRIGATION WATER AND/OR WASTEWATER SYSTEM(S) OR PORTION(S) THEREOF AND INGRESS AND EGRESS RIGHTS, WHERE APPROPRIATE, ARE PROVIDED TO THE COLLIER COUNTY WATER-SEWER DISTRICT TO OPERATE AND MAINTAIN POTABLE WATER, NON-POTABLE IRRIGATION WATER AND/OR WASTEWATER UTILITY SYSTEMS OR PORTION(S) THEREOF WITHIN THE PLATTED AREA AFTER FINAL CONVEYANCE TO THE CCWSO AND, WHERE APPLICABLE, TO INSTALL THE CCWSO'S CONNECTING UTILITY FACILITIES WITHIN SUCH EASEMENT(S), WITH NO RESPONSIBILITY FOR MAINTENANCE OF THE SURFACE EASEMENT AREA;
 - APPLICABLE POTABLE WATER, NON-POTABLE IRRIGATION WATER AND/OR WASTEWATER SYSTEM(S) OR PORTION(S) THEREOF CONSTRUCTED WITHIN THIS PLATTED AREA IN COMPLIANCE WITH THE REQUIREMENTS SET FORTH IN THE COLLIER COUNTY UTILITIES STANDARDS AND PROCEDURES ORDINANCE (2004-31), AS AMENDED, SHALL BE CONVEYED TO THE BOARD AS THE EX-OFFICIO GOVERNING BOARD OF THE COLLIER COUNTY WATER-SEWER DISTRICT UPON ACCEPTANCE OF THE ADDITIONS, EXTENSIONS, AND/OR IMPROVEMENTS REQUIRED BY THE PLAT.
- DEDICATE TO COLLIER COUNTY:
 - ALL DRAINAGE EASEMENTS (D.E.) AS SHOWN ON THE PLAT WITH NO RESPONSIBILITY FOR MAINTENANCE.
 - ALL ACCESS EASEMENTS (A.E.) AS SHOWN ON THE PLAT WITH NO RESPONSIBILITY FOR MAINTENANCE.
 - ALL LAKE MAINTENANCE EASEMENTS (L.M.E.) AS SHOWN ON THE PLAT WITH NO RESPONSIBILITY FOR MAINTENANCE.
 - A SIDEWALK EASEMENT WITH RESPONSIBILITY FOR MAINTENANCE OVER A PORTION OF THE NORTHEAST CORNER OF TRACT "H-2" AS MORE SPECIFICALLY DEPICTED IN DETAIL "D" ON SHEET 4 OF 4 HEREOF.
- DEDICATE A NON-EXCLUSIVE PUBLIC UTILITY EASEMENT (P.U.E.) TO ALL LICENSED OR FRANCHISED PUBLIC OR PRIVATE UTILITIES AS SHOWN ON THIS PLAT FOR PUBLIC UTILITY PURPOSES, INCLUDING CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF THEIR RESPECTIVE FACILITIES, INCLUDING CABLE TELEVISION SERVICES.

ALL PUBLIC UTILITY EASEMENTS SHALL PROVIDE THAT SUCH EASEMENTS SHALL ALSO BE EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES; PROVIDED, HOWEVER, NO SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES SHALL INTERFERE WITH THE FACILITIES AND SERVICES OF AN ELECTRIC, TELEPHONE, GAS OR OTHER PUBLIC UTILITY. IN THE EVENT A CABLE TELEVISION COMPANY DAMAGES THE FACILITIES OF A PUBLIC UTILITY, IT SHALL BE SOLELY RESPONSIBLE FOR THE DAMAGES. THIS SECTION SHALL NOT APPLY TO THOSE PRIVATE EASEMENTS GRANTED TO OR OBTAINED BY A PARTICULAR ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION SHALL COMPLY WITH THE NATIONAL ELECTRICAL SAFETY CODE AS ADOPTED BY THE FLORIDA PUBLIC SERVICE COMMISSION.

- DEDICATE TO THE OWNER OF TRACTS "A", "B", "C", "D", "E", "F", "G", "H-1", "H-2", "I", "J", "K", & "L", ITS SUCCESSORS IN TITLE
 - A NON-EXCLUSIVE ACCESS EASEMENT (A.E.) OVER AND ACROSS TRACTS "R1" & "R2" (FOUNDERS SQUARE DRIVE, FOUNDERS STREET, & FOUNDERS PLACE) FOR THE PURPOSE OF PEDESTRIAN AND VEHICULAR INGRESS, EGRESS, AND PASSAGE, WITH NO RESPONSIBILITY FOR MAINTENANCE, BUT SUBJECT TO THE TERMS OF THE UMBRELLA DECLARATION.

IN WITNESS WHEREOF, THE UNDERSIGNED OWNERS HAVE CAUSED THESE PRESENTS TO BE SIGNED THIS 6th DAY OF December, 2019, A.D.

WITNESSES:

Michelle Richie
PRINTED NAME
Rebecca Axx
PRINTED NAME

TREE PLATEAU CO., INC.
A DELAWARE CORPORATION

BY: Richard S. Talford
RICHARD S. TALFORD, PRESIDENT

ACKNOWLEDGMENT

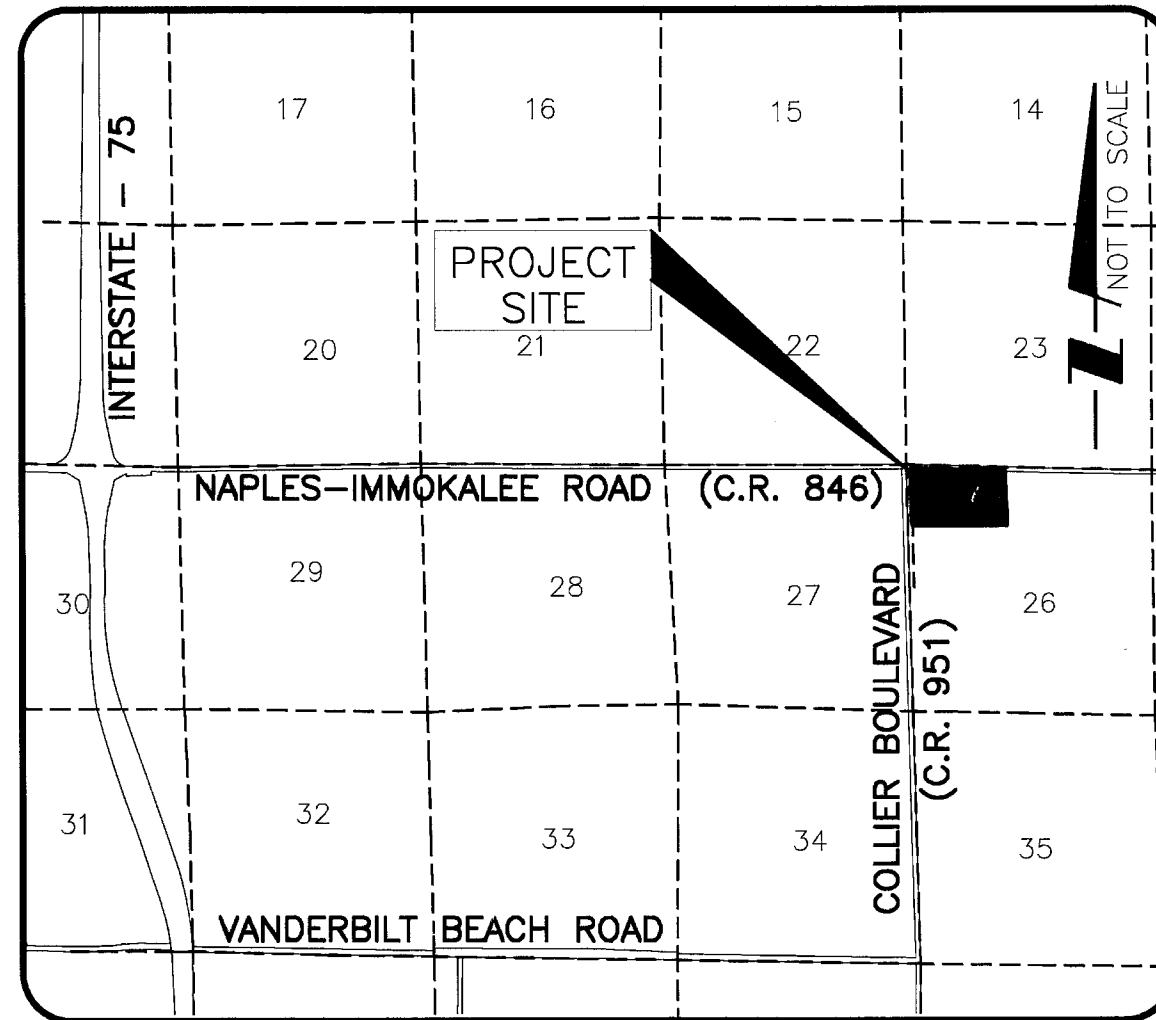
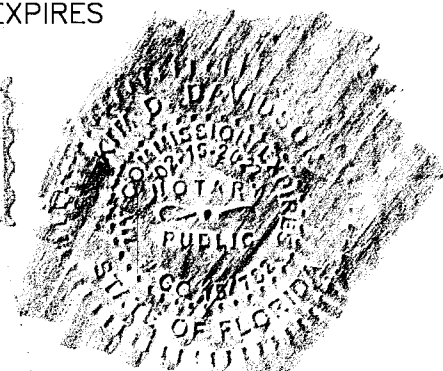
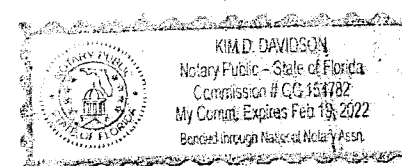
STATE OF FLORIDA
COUNTY OF COLLIER

THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME
THIS 6th DAY OF December, 2019,

BY RICHARD S. TALFORD, AS PRESIDENT OF TREE PLATEAU CO., INC., A DELAWARE CORPORATION WHO IS PERSONALLY KNOWN TO ME OR HAS PRODUCED Florida Driver License AS IDENTIFICATION.

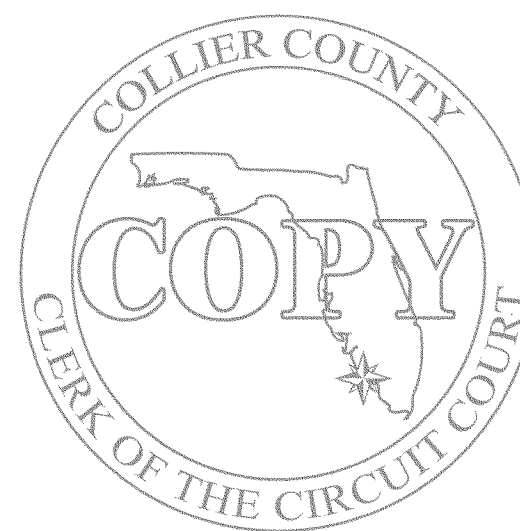
Kim D. Davidson
NOTARY PUBLIC - STATE OF FLORIDA (AFFIX SEAL)

Kim D. Davidson
NAME OF ACKNOWLEDGER (TYPED, PRINTED OR STAMPED)
2-19-2022 66154782
COMMISSION # 52 MY COMMISSION EXPIRES



LOCATION MAP

LEGAL DESCRIPTION
SEE SHEET 2 OF 4.



GENERAL NOTES:

- ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.
- ALL CURVES ARE CIRCULAR CURVES AND ARE TANGENTIAL UNLESS NOTED OTHERWISE IN DESCRIPTION OF LAND PLATTED.
- BEARINGS ARE BASED ON THE NORTH LINE OF SECTION 26, TOWNSHIP 48 SOUTH, RANGE 26 EAST, BEING SOUTH 89°58'37" EAST. BEARINGS ARE BASED ON THE STATE PLANE COORDINATE SYSTEM ESTABLISHED BY THE NATIONAL GEODETIC SURVEY FOR FLORIDA EAST ZONE, 1983 DATUM WITH 2007 ADJUSTMENT.
- ☐ INDICATES PERMANENT REFERENCE MONUMENT (P.R.M.) SET IRON PIN WITH CAP STAMPED P.R.M. LB-7866.
☒ INDICATES PERMANENT REFERENCE MONUMENT (P.R.M.) FOUND 4" x 4" CONCRETE MONUMENT, NO I.D.
☒ INDICATES SET PERMANENT CONTROL POINT (P.C.P.) STAMPED P.C.P. LB-7866 AND WILL BE PLACED IN ACCORDANCE TO SECTION 177.091(8), FLORIDA STATUTES.
- ABBREVIATIONS:
P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCEMENT
F.P.L.E. = FLORIDA POWER & LIGHT EASEMENT
L.B.E. = LANDSCAPE BUFFER EASEMENT
L.M.E. = LAKE MAINTENANCE EASEMENT
P.B. = PLAT BOOK, P or PG = PAGE
A.E. = ACCESS EASEMENT
C.U.E. = COUNTY UTILITY EASEMENT
D.E. = DRAINAGE EASEMENT
P.U.E. = PUBLIC UTILITY EASEMENT
O.A. = OVERALL (TOTAL)
O.R. = OFFICIAL RECORDS BOOK
S.E. = SIGN EASEMENT
T.A.E. = TEMPORARY ACCESS EASEMENT

6. SUBJECT TO AN EASEMENT TO FLORIDA POWER AND LIGHT COMPANY, AS RECORDED IN O.R. BOOK 1157, PAGE 704, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA

7. SUBJECT TO THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS OF FOUNDERS SQUARE RECORDED IN O.R. BOOK 5114, PAGE 2282, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA (THE "UMBRELLA DECLARATION").

8. SUBJECT TO THE COLLIER COUNTY ZONING ORDINANCE 19-11, AS THE SAME MAY BE AMENDED FROM TIME TO TIME.

COUNTY APPROVALS

COUNTY ENGINEER
THIS PLAT APPROVED BY THE GROWTH MANAGEMENT DEPARTMENT OF COLLIER COUNTY, FLORIDA
THIS 13th DAY OF December, 2019, A.D.

JACK MORRIS, P.E.
COLLIER COUNTY, ENGINEER

COUNTY ATTORNEY
THIS PLAT APPROVED BY THE COLLIER COUNTY ATTORNEY THIS 13th DAY OF January, 2020 A.D.

SALLY A. ASHKAR
ASSISTANT COUNTY ATTORNEY

COUNTY SURVEYOR
THIS PLAT REVIEWED BY THE COLLIER COUNTY SURVEYOR THIS 12th DAY OF December, 2019, A.D.

Marcus L. Berman
MARCUS L. BERMAN, P.S.M. #LS5086
COLLIER COUNTY SURVEYOR

COUNTY COMMISSION APPROVAL

THIS PLAT APPROVED FOR RECORDING IN A REGULAR OPEN MEETING OF THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, THIS 13th DAY OF December, 2019, A.D. PROVIDED THAT THE PLAT IS FILED IN THE OFFICE OF THE CLERK OF CIRCUIT COURT OF COLLIER COUNTY, FLORIDA.

ATTEST: Crystal K. Kinzel
CLERK OF THE CIRCUIT COURT
& COMPTROLLER, IN & FOR
COLLIER COUNTY, FLORIDA

WILLIAM L. MCDANIEL, JR., CHAIRMAN
BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

FILING RECORD

I HEREBY CERTIFY THAT THIS PLAT HAS BEEN EXAMINED BY ME AND THAT IT COMPLIES IN FORM WITH THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES OF THE STATE OF FLORIDA. I FURTHER CERTIFY THAT THIS PLAT WAS FILED FOR RECORD AT 2:22 PM THIS 3rd DAY OF January, 2020 A.D. AND DULY RECORDED IN PLAT BOOK 67, PAGES 9 THROUGH 12, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

Crystal K. Kinzel
CRYSTAL K. KINZEL
CLERK OF THE CIRCUIT COURT & COMPTROLLER
IN & FOR COLLIER COUNTY, FLORIDA

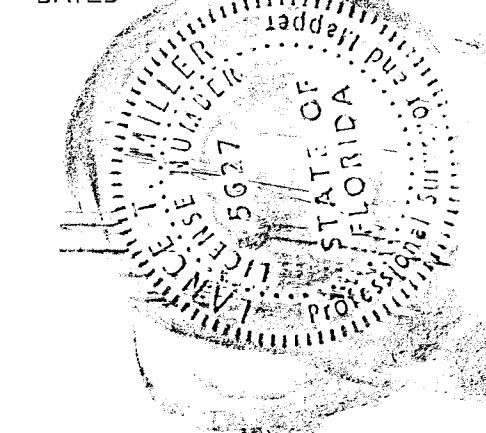
SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM A BOUNDARY SURVEY OF THE PROPERTY PERFORMED BY ME, OR UNDER MY SUPERVISION, AS PROVIDED IN CHAPTER 177.041 FLORIDA STATUTES AND THAT THIS PLAT COMPLIES WITH ALL THE REQUIREMENTS OF CHAPTER 177, PART 1, AS AMENDED, FLORIDA STATUTES. IT IS FURTHER CERTIFIED THAT ALL PERMANENT REFERENCE MONUMENTS WILL BE SET PRIOR TO RECORDING OF THIS PLAT AND AND THAT ALL PERMANENT CONTROL POINTS AND LOT CORNERS WILL BE SET PRIOR TO FINAL ACCEPTANCE OF THE REQUIRED IMPROVEMENTS.

STANTEC CONSULTING SERVICES INC.

Lance T. Miller
LANCE T. MILLER P.S.M. #LS5627

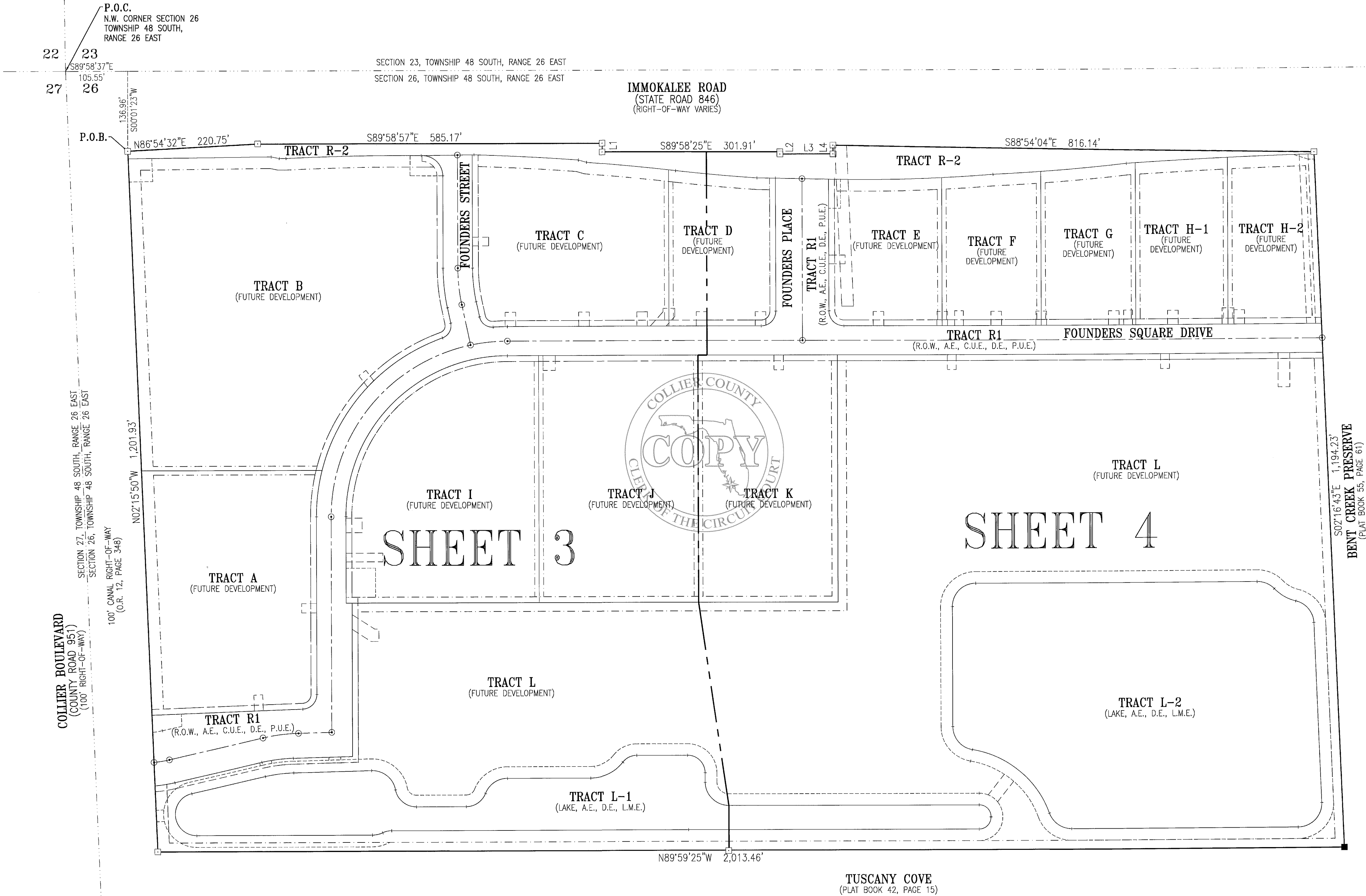
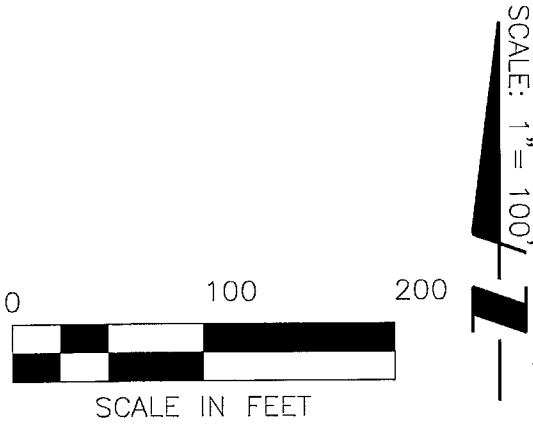
MARCH 15, 2019
DATED



THIS INSTRUMENT WAS PREPARED BY
LANCE T. MILLER, P.S.M. #LS5627
STANTEC CONSULTING SERVICES INC.
REGISTERED ENGINEERS AND LAND SURVEYORS
5801 PELICAN BAY BOULEVARD, SUITE 300
NAPLES, COLLIER COUNTY, FLORIDA, 34108
PHONE: (239) 649-4040
CERTIFICATE OF AUTHORIZATION #LB-7866

FOUNDERS SQUARE

A SUBDIVISION LOCATED IN SECTION 26, TOWNSHIP 48 SOUTH, RANGE 26 EAST,
COLLIER COUNTY, FLORIDA.



LINE TABLE		
LINE	BEARING	DISTANCE
L1	S00°01'25\"W	15.00'
L2	S00°01'35\"W	3.94'
L3	S89°58'25\"E	89.97'
L4	N00°01'25\"E	15.00'

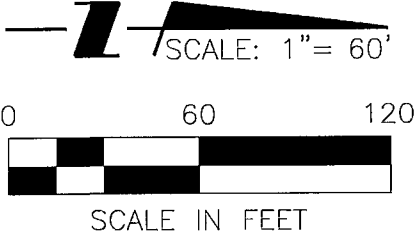
LEGAL DESCRIPTION
A TRACT OR PARCEL OF LANDS LYING IN SECTION 26, TOWNSHIP 48 SOUTH, RANGE 26 EAST, COLLIER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 26, THENCE SOUTH 89°58'37\" EAST ALONG THE NORTH LINE OF SAID SECTION 26, A DISTANCE OF 105.55 FEET;
THENCE SOUTH 00°01'23\" WEST DEPARTING SAID NORTH LINE, A DISTANCE OF 136.96 FEET TO AN INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF IMMOKALEE ROAD AND THE POINT OF BEGINNING;
FROM SAID POINT OF BEGINNING, THENCE RUN ALONG SAID SOUTH RIGHT-OF-WAY IN THE FOLLOWING NINE (9) COURSES:
1. NORTH 86°54'32\" EAST 220.75 FEET;
2. SOUTH 89°58'57\" EAST 585.17 FEET;
3. SOUTH 00°01'25\" WEST 15.00 FEET;
4. SOUTH 89°58'25\" EAST 301.91 FEET;
5. SOUTH 00°01'25\" WEST 3.94 FEET;
6. SOUTH 89°58'25\" EAST 89.97 FEET;
7. NORTH 00°01'25\" EAST 15.00 FEET;
8. SOUTH 88°54'04\" EAST 22.92 FEET;
9. SOUTH 88°54'04\" EAST 793.22 FEET TO AN INTERSECTION WITH THE WEST BOUNDARY LINE OF THE PLAT OF BENT CREEK PRESERVE, AS RECORDED IN PLAT BOOK 55, PAGE 61, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA;
THENCE SOUTH 02°16'43\" EAST DEPARTING SAID RIGHT-OF-WAY ALONG SAID WEST BOUNDARY LINE, A DISTANCE OF 1,194.23 FEET TO AN INTERSECTION WITH THE NORTH BOUNDARY LINE OF THE PLAT OF TUSCANY COVE, AS RECORDED IN PLAT BOOK 42, PAGE 15, OF SAID PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA;
THENCE NORTH 89°59'25\" WEST ALONG SAID NORTH LINE, A DISTANCE OF 2,013.46 FEET TO AN INTERSECTION WITH THE EAST LINE OF A 100 FOOT WIDE CANAL RIGHT-OF-WAY, AS RECORDED IN OFFICIAL RECORDS BOOK 12, PAGE 348, OF SAID PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA;
THENCE NORTH 02°15'50\" WEST ALONG SAID EAST RIGHT-OF-WAY LINE A DISTANCE OF 1,201.93 FEET TO THE POINT OF BEGINNING.
CONTAINING 55.66 ACRES, MORE OR LESS.

THIS INSTRUMENT WAS PREPARED BY
LANCE T MILLER, P.S.M. #LS5627
STANTEC CONSULTING SERVICES INC.
REGISTERED ENGINEERS AND LAND SURVEYORS
5801 PELICAN BAY BOULEVARD, SUITE 300
NAPLES, COLLIER COUNTY, FLORIDA, 34108
PHONE: (239) 649-4040
CERTIFICATE OF AUTHORIZATION #LB-7866

NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL
DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO
CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR
DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE
NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS
OF THIS COUNTY.

FOUNDERS SQUARE

A SUBDIVISION LOCATED IN SECTION 26, TOWNSHIP 48 SOUTH, RANGE 26 EAST,
COLLIER COUNTY, FLORIDA.



THIS INSTRUMENT WAS PREPARED BY
LANCE T MILLER, P.S.M. #LS5627
STANTEC CONSULTING SERVICES INC.
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5801 PELICAN BAY BOULEVARD, SUITE 300
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OF THIS COUNTY.

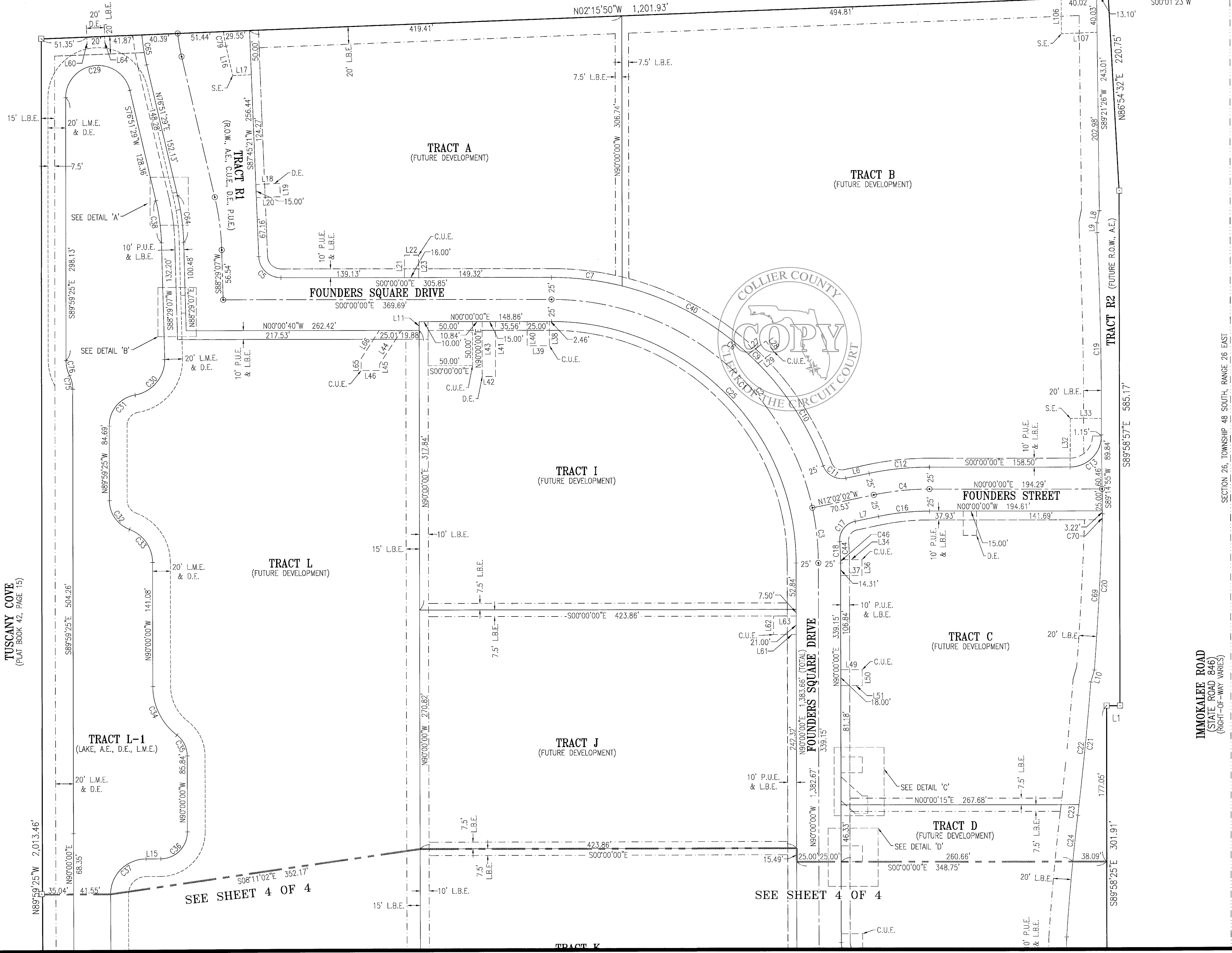
COLLIER BOULEVARD
(COUNTY ROAD 951)
(100' RIGHT-OF-WAY)

SECTION 27, TOWNSHIP 48 SOUTH, RANGE 26 EAST
SECTION 26, TOWNSHIP 48 SOUTH, RANGE 26 EAST

100' CANAL RIGHT-OF-WAY
(O.R. 12, PAGE 348)

27 22
26 23
P.O.C.
N.W. CORNER SECTION 26
TOWNSHIP 48 SOUTH,
RANGE 26 EAST

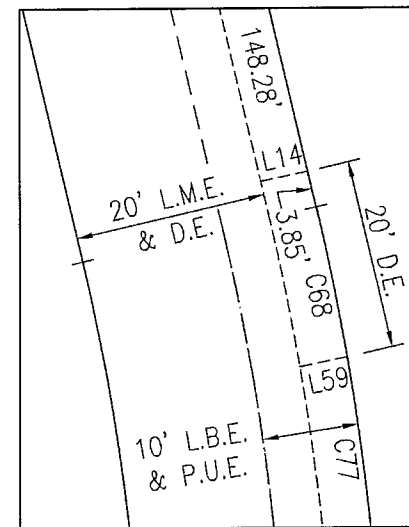
P.O.B.



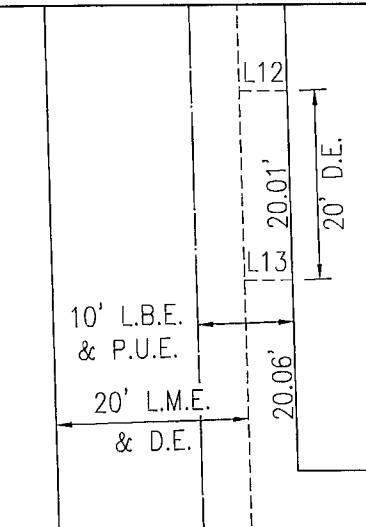
LINE TABLE		
LINE	BEARING	DISTANCE
L1	S00°01'25"W	15.00'
L6	S12°02'02"E	26.73'
L7	N12°02'02"W	26.73'
L8	N78°14'04"W	13.96'
L9	S89°21'26"W	11.33'
L10	N73°27'04"W	14.25'
L11	N90°00'00"W	10.00'
L12	N00°00'00"E	5.00'
L13	N00°00'00"E	5.00'
L14	S11°48'43"E	5.00'
L15	N00°00'00"E	16.47'
L17	S02°15'50"E	21.11'
L18	N02°12'38"W	27.08'
L19	N87°47'22"E	15.00'
L20	S02°12'38"E	27.08'
L21	N90°00'00"W	25.50'
L22	N00°00'00"E	16.00'
L23	N90°00'00"E	25.50'
L27	N36°44'03"W	24.63'
L28	N53°15'57"E	15.00'
L29	S36°44'03"E	22.28'
L32	S89°40'16"E	55.66'
L33	S00°19'44"W	34.79'
L34	N00°00'00"E	24.02'
L36	N90°00'00"E	18.00'
L37	S00°00'00"E	24.00'
L38	N90°00'00"E	27.50'
L39	S00°00'00"E	25.00'
L40	N90°00'00"W	27.50'
L41	N89°59'58"E	62.53'
L42	S00°00'00"E	15.00'
L43	S89°59'58"W	62.53'

LINE TABLE		
LINE	BEARING	DISTANCE
L44	S57°06'17"E	45.33'
L45	N90°00'00"E	7.40'
L46	S00°00'00"E	21.00'
L49	N00°00'00"E	24.00'
L50	N90°00'00"E	18.00'
L51	S00°00'00"E	24.00'
L52	N00°00'00"E	24.00'
L53	N90°00'00"E	18.00'
L54	S00°00'00"E	24.00'
L55	N90°00'00"E	20.00'
L56	S00°00'00"E	13.88'
L57	S42°23'45"W	21.83'
L59	S11°48'43"E	5.00'
L60	S87°44'10"W	13.21'
L61	S00°00'00"E	25.50'
L62	N90°00'00"W	21.00'
L63	N00°00'00"E	25.50'
L64	S87°44'10"W	13.21'
L65	N90°00'00"W	13.60'
L66	N57°06'17"W	37.94'
L78	N00°00'00"E	6.12'
L79	N42°23'45"E	32.33'
L80	N90°00'00"E	27.50'
L81	S00°00'00"E	15.00'
L82	S00°00'00"W	27.50'
L103	N00°00'00"E	24.00'
L104	N90°00'00"E	18.00'
L105	S00°00'00"E	24.00'
L106	N89°21'26"E	40.03'
L107	N02°15'50"W	40.02'

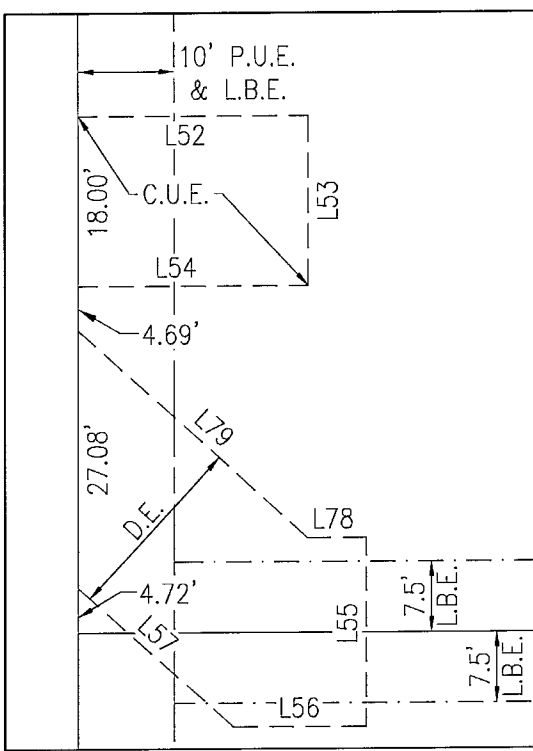
CURVE TABLE					
CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C1	300.00'	90°00'00"	471.24'	424.26'	S45°00'00"W
C2	300.00'	77°57'58"	408.23'	377.45'	S38°58'59"W
C3	300.00'	12°02'02"	63.01'	62.89'	S83°58'59"W
C4	300.00'	12°02'02"	63.01'	62.89'	N06°01'01"W
C5	24.98'	87°50'10"	38.30'	34.66'	S43°52'41"E
C6	325.00'	70°10'54"	398.09'	373.67'	S35°05'27"W
C7	325.00'	14°10'51"	80.44'	80.23'	S07°05'25"W
C9	325.00'	2°40'37"	15.18'	15.18'	S44°20'54"W
C10	325.00'	2°42'42"	138.94'	137.89'	S57°56'03"W
C11	22.00'	82°12'56"	31.57'	28.93'	S29°04'26"E
C12	325.00'	12°02'02"	68.26'	68.13'	S06°01'01"E
C13	35.00'	90°45'05"	55.44'	49.82'	S45°22'32"W
C16	275.00'	12°02'02"	57.76'	57.65'	N06°01'01"E
C17	22.00'	82°12'56"	31.57'	28.93'	N53°08'30"E
C18	325.00'	4°14'58"	24.10'	24.10'	S87°52'31"W
C19	4056.38'	3°14'35"	229.59'	229.56'	S88°54'23"W
C20	4059.35'	2°30'23"	177.57'	177.55'	N86°57'04"W
C21	4056.38'	2°09'00"	152.22'	152.21'	N84°25'35"W
C22	4056.38'	1°58'47"	140.15'	140.14'	N84°30'42"W
C23	4056.38'	0°10'14"	12.07'	12.07'	N83°26'11"W
C24	2752.45'	1°05'44"	52.63'	52.63'	S83°08'46"E
C25	275.00'	90°00'00"	431.97'	388.91'	N45°00'00"W
C29	36.50'	166°50'55"	106.29'	72.52'	S06°33'58"E
C30	40.53'	80°38'50"	57.04'	52.45'	N50°26'02"W
C31	35.02'	81°35'57"	49.88'	45.77'	S50°33'11"E
C32	35.00'	69°18'29"	42.34'	39.80'	N55°21'20"E
C33	40.00'	69°17'54"	48.38'	45.48'	S55°21'03"W
C34	70.00'	52°01'26"	63.56'	61.40'	S63°59'17"E
C35	30.00'	52°01'26"	27.24'	26.31'	S63°59'17"W
C36	30.00'	90°00'00"	47.12'	42.43'	N45°00'00"W
C37	40.00'	90°00'00"	62.83'	56.57'	S45°00'00"E
C38	240.00'	11°37'38"	48.70'	48.62'	S82°40'18"W
C40	325.00'	28°49'44"	163.53'	161.81'	S28°35'43"W
C44	325.00'	3°35'54"	20.41'	20.41'	S87°33'00"W
C46	325.00'	0°39'03"	3.69'	3.69'	S89°40'28"W
C64	265.00'	11°37'38"	53.78'	53.68'	S82°40'18"W
C65	239.99'	8°08'57"	34.13'	34.11'	N80°55'38"E
C69	4059.35'	2°24'38"	170.78'	170.77'	N86°54'12"W
C70	4059.35'	0°05'45"	6.78'	6.78'	N88°09'23"W
C75	35.00'	25°50'31"	15.79'	15.65'	S77°05'19"W
C76	40.00'	25°50'31"	18.04'	17.89'	N77°05'19"E
C77	265.00'	8°08'04"	37.62'	37.59'	S84°25'05"W
C79	148.67'	6°26'46"	16.73'	16.72'	N80°04'53"E
C80	200.00'	7°35'12"	26.48'	26.46'	N80°39'05"E



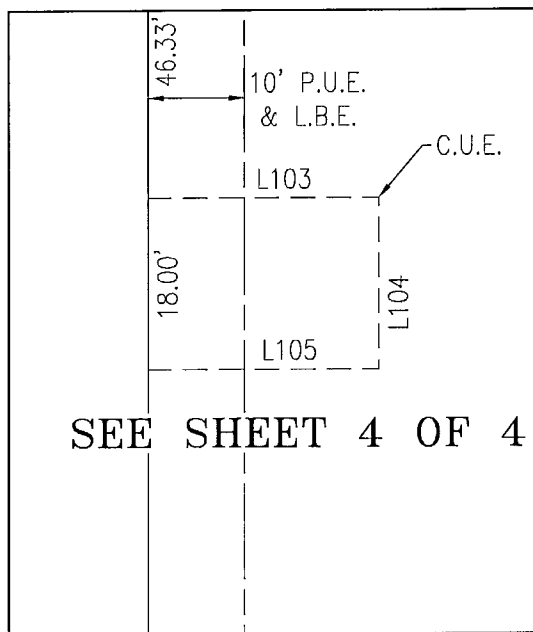
DETAIL 'A'
SCALE: 1" = 20'



DETAIL 'B'
SCALE: 1" = 20'



DETAIL 'C'
SCALE: 1" = 20'



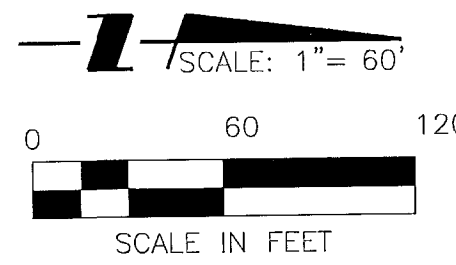
DETAIL 'D'
SCALE: 1" = 20'

SEE SHEET 4 OF 4

TUSCANY COVE
(PLAT BOOK 42, PAGE 15)

IMMOKALEE ROAD
(STATE ROAD 846)
(RIGHT-OF-WAY VARIES)

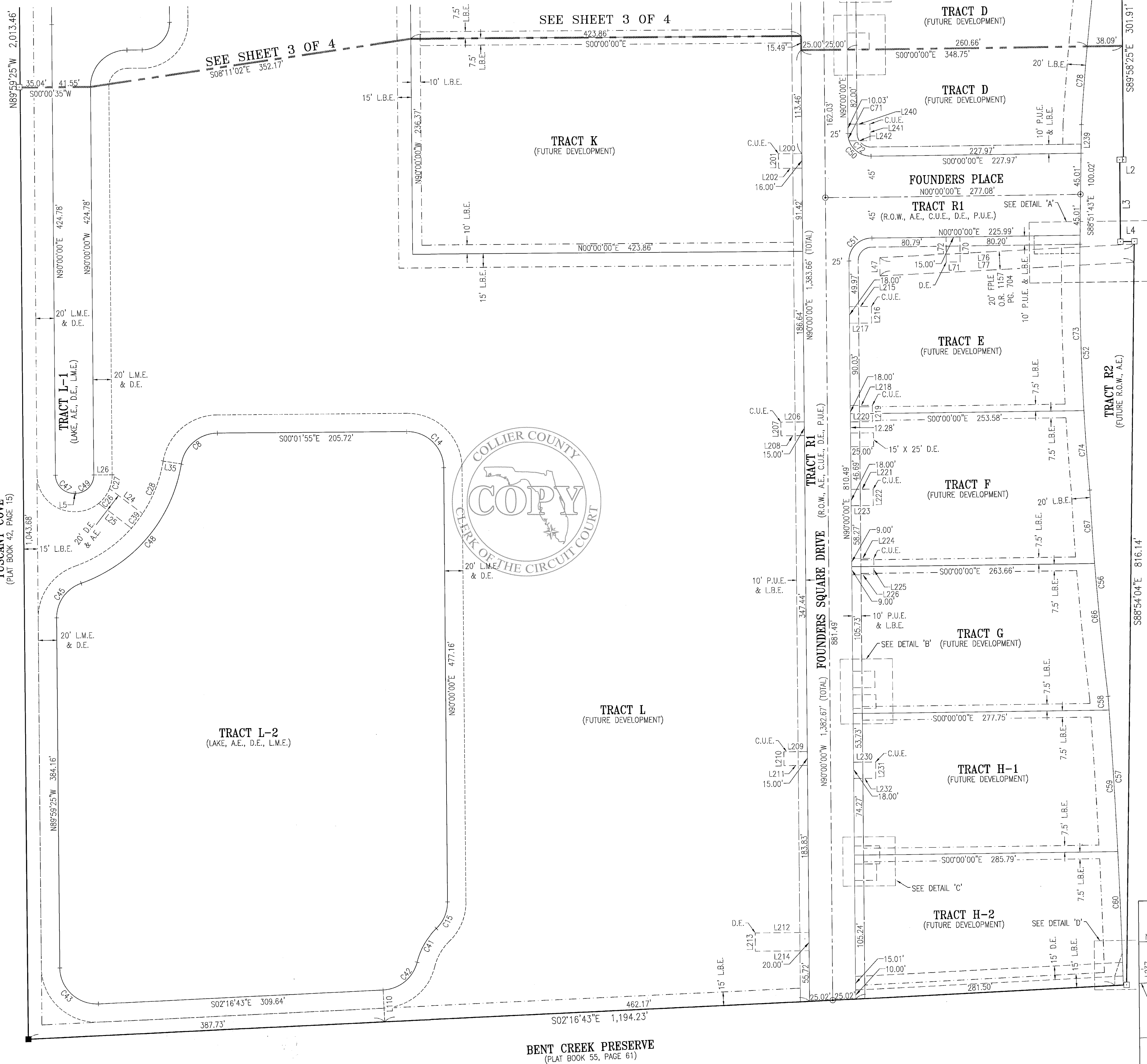
FOUNDERS SQUARE

A SUBDIVISION LOCATED IN SECTION 26, TOWNSHIP 48 SOUTH, RANGE 26 EAST,
COLLIER COUNTY, FLORIDA.

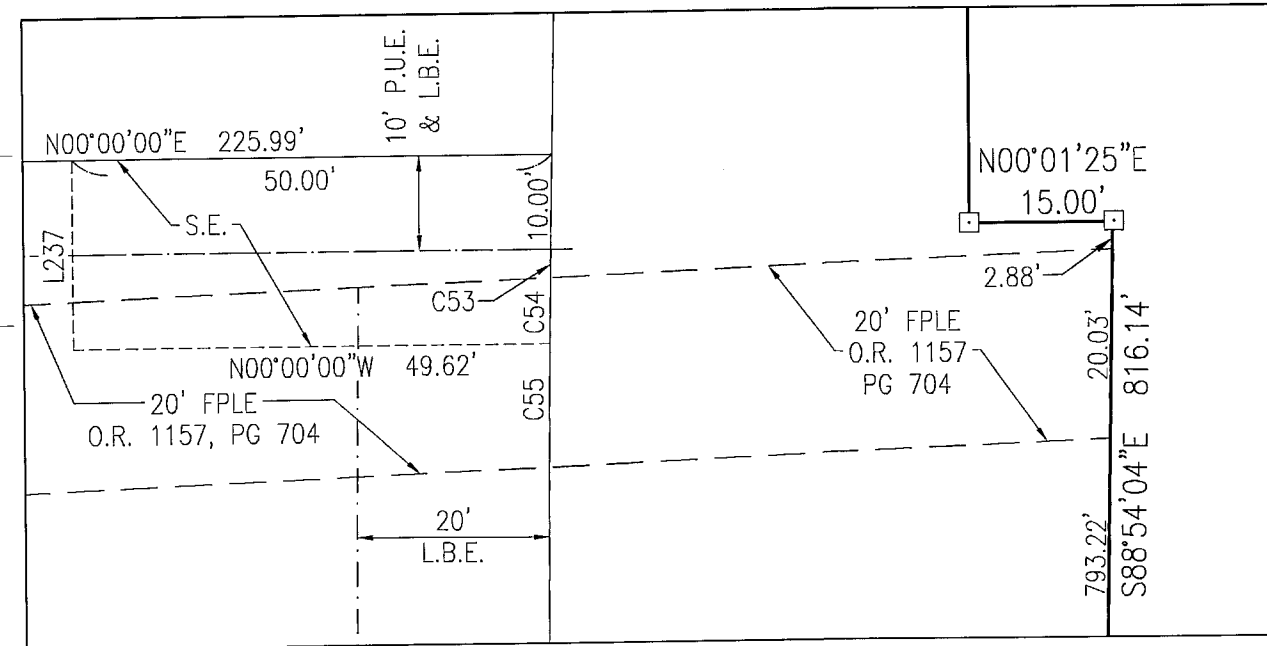
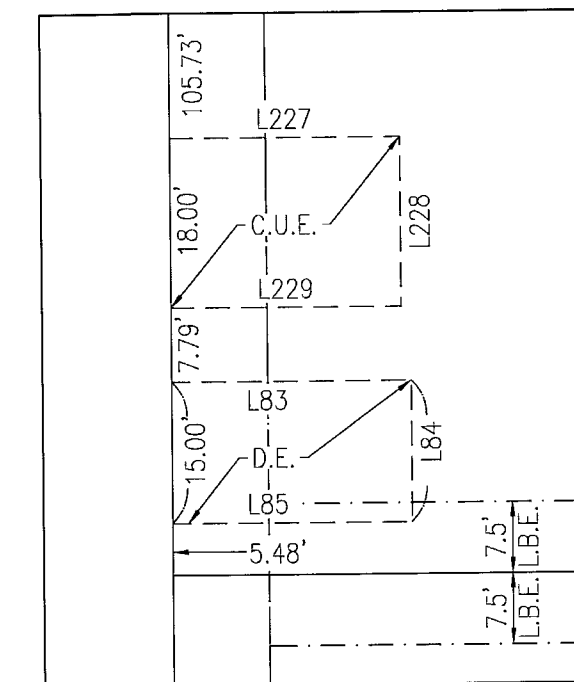
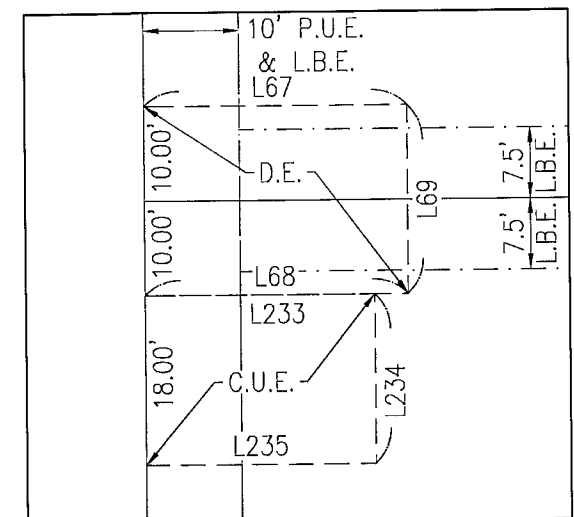
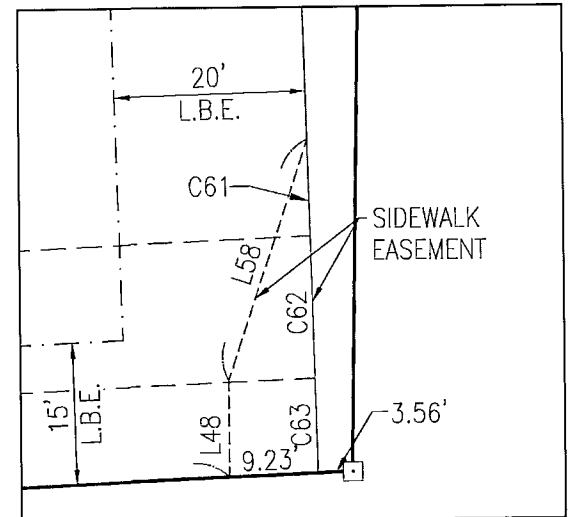
CURVE TABLE					
CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C8	40.00'	80°17'01"	56.05'	51.57'	S40°10'26"E
C14	40.00'	90°01'55"	62.85'	56.58'	N44°59'02"W
C15	40.00'	46°42'01"	32.60'	31.71'	S66°39'00"W
C26	40.00'	28°57'31"	20.22'	20.00'	N53°09'54"W
C27	40.00'	22°21'21"	15.61'	15.51'	N78°49'19"W
C28	147.67'	24°08'53"	62.24'	61.78'	N68°14'30"W
C39	147.67'	7°45'57"	20.02'	20.00'	N52°17'05"W
C41	75.17'	32°42'50"	42.92'	42.34'	S59°39'24"E
C42	40.00'	73°44'06"	51.48'	48.00'	N39°08'46"W
C43	40.00'	92°17'18"	64.43'	57.69'	S43°51'56"E
C45	40.00'	70°46'42"	49.41'	46.33'	N54°36'04"E
C47	20.00'	90°00'00"	31.42'	28.28'	N45°00'00"E
C48	167.67'	61°06'13"	178.81'	170.46'	S49°45'50"W
C49	20.00'	90°00'00"	31.42'	28.28'	N45°00'00"W
C50	25.00'	90°00'00"	39.27'	35.36'	S45°00'00"E
C51	25.00'	90°27'03"	39.47'	35.50'	N44°46'24"E
C52	2749.60'	5°36'58"	269.51'	269.40'	S88°16'22"W
C53	2749.60'	0°03'47"	3.02'	3.02'	S88°57'02"E
C54	2749.60'	0°08'44"	6.98'	6.98'	S89°03'17"E
C55	2749.60'	0°16'19"	13.05'	13.05'	S89°15'48"E
C56	3376.61'	3°51'44"	227.62'	227.58'	S85°32'21"W
C57	7821.19'	2°19'49"	318.08'	318.06'	S87°31'55"W
C58	7821.19'	0°06'38"	15.10'	15.10'	S86°25'20"W
C59	7821.19'	1°08'40"	156.21'	156.21'	S87°02'59"W
C60	7821.19'	0°49'05"	111.65'	111.65'	S88°01'51"W

LINE TABLE		
LINE	BEARING	DISTANCE
L2	S00°01'35"W	3.94'
L3	S89°58'25"E	89.97'
L4	N00°01'25"E	15.00'
L24	N37°42'55"E	45.09'
L25	N37°42'55"E	44.79'
L26	S00°00'00"E	20.00'
L35	S09°41'04"W	20.00'
L47	S89°58'37"E	20.02'
L48	N90°00'00"E	10.21'
L58	S71°43'05"E	26.62'
L67	N00°00'00"E	27.50'
L69	N90°00'00"E	20.00'
L70	N90°00'00"W	27.50'
L71	N00°00'00"E	15.00'
L72	N90°00'00"E	27.50'
L76	S02°16'37"E	276.29'
L77	N02°16'37"W	275.92'
L83	N00°00'00"E	25.00'
L84	N90°00'00"E	15.00'
L85	S00°00'00"E	25.00'
L110	N87°43'17"E	34.99'
L200	N00°00'00"E	25.50'
L201	S90°00'00"W	16.00'
L202	S00°00'00"E	25.50'
L206	N00°00'00"E	25.50'
L207	N90°00'00"W	15.00'

LINE TABLE		
LINE	BEARING	DISTANCE
L208	S00°00'00"E	25.50'
L209	N00°00'00"E	25.50'
L210	N90°00'00"W	15.00'
L211	S00°00'00"E	25.50'
L212	N00°00'00"E	58.50'
L213	N90°00'00"W	20.00'
L214	S00°00'00"E	58.50'
L215	N00°00'00"E	24.00'
L216	N90°00'00"E	18.00'
L217	S00°00'00"E	24.00'
L218	N00°00'00"E	24.00'
L219	N90°00'00"E	18.00'
L220	S00°00'00"E	24.00'
L221	N00°00'00"E	24.00'
L222	N90°00'00"E	18.00'
L223	S00°00'00"E	24.00'
L224	N00°00'00"E	24.00'
L225	N90°00'00"E	18.00'
L226	S00°00'00"E	24.00'
L227	N00°00'00"E	24.00'
L228	N90°00'00"E	18.00'
L229	S00°00'00"E	24.00'
L230	N00°00'00"E	24.00'
L231	N90°00'00"E	18.00'
L232	S00°00'00"E	24.00'
L233	N00°00'00"E	24.00'

TUSCANY COVE
(PLAT BOOK 42, PAGE 15)

CURVE TABLE					
CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C61	7821.19'	0°04'27"	10.12'	10.12'	S88°28'37"W
C62	7821.19'	0°06'36"	15.00'	15.00'	S88°34'08"W
C63	7821.19'	0°04'24"	10.00'	10.00'	S88°39'38"W
C66	3376.61'	2°29'11"	146.53'	146.52'	N84°51'05"E
C67	3376.61'	1°22'34"	81.09'	81.09'	N86°46'57"E
C71	25.00'	18°35'14"	8.11'	8.07'	N80°42'23"E
C72	25.00'	71°24'46"	31.16'	29.18'	N35°42'23"E
C73	2749.60'	3°18'48"	159.00'	158.98'	N88°56'38"E
C74	2749.60'	1°49'21"	87.46'	87.46'	N86°22'34"E
C78	2752.45'	1°47'34"	86.12'	86.12'	S85°17'25"E



THIS INSTRUMENT WAS PREPARED BY
LANCE T. MILLER, P.S.M. #LS5627
STANTEC CONSULTING SERVICES INC.
REGISTERED ENGINEERS AND LAND SURVEYORS
5801 PELICAN BAY BOULEVARD, SUITE 300
NAPLES, COLLIER COUNTY, FLORIDA, 34108
PHONE: (239) 649-4040
CERTIFICATE OF AUTHORIZATION #LB-7866

NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION
OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE
SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT.
THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT
MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

ORDINANCE NO. 19- 11

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA AMENDING ORDINANCE NUMBER 2004-41, AS AMENDED, THE COLLIER COUNTY LAND DEVELOPMENT CODE, WHICH ESTABLISHED THE COMPREHENSIVE ZONING REGULATIONS FOR THE UNINCORPORATED AREA OF COLLIER COUNTY, FLORIDA, BY AMENDING THE APPROPRIATE ZONING ATLAS MAP OR MAPS BY CHANGING THE ZONING CLASSIFICATION OF THE HEREIN DESCRIBED REAL PROPERTY FROM A RURAL AGRICULTURAL (A) ZONING DISTRICT TO A MIXED USE PLANNED UNIT DEVELOPMENT (MPUD) ZONING DISTRICT FOR THE PROJECT TO BE KNOWN AS THE BAUMGARTEN MPUD, TO ALLOW CONSTRUCTION OF A MAXIMUM OF 400 MULTIFAMILY AND/OR TOWNHOUSE RESIDENTIAL DWELLING UNITS AND UP TO 270,000 SQUARE FEET OF COMMERCIAL LAND USES AT THE SOUTHEAST QUADRANT OF IMMOKALEE ROAD AND COLLIER BOULEVARD, IN SECTION 26, TOWNSHIP 48, RANGE 26, COLLIER COUNTY, FLORIDA, CONSISTING OF 55.66 +/- ACRES; AND BY PROVIDING AN EFFECTIVE DATE. [PL20170000768]

WHEREAS, Wayne Arnold, AICP, of Q. Grady Minor & Associates, P.A. and Richard D. Yovanovich, Esq. of Coleman, Yovanovich & Koester, P.A., representing BCHD Partners II, LLC, petitioned the Board of County Commissioners to change the zoning classification of the herein described real property.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, that:

SECTION ONE:

The zoning classification of the herein described real property located in Section 26, Township 48, Range 26, Collier County, Florida, is changed from a Rural Agricultural (A) Zoning District to a Mixed Use Planned Unit Development (MPUD) Zoning District for the 55.66+/- acre project to be known as the Baumgarten MPUD, to allow construction of a maximum of 400 residential dwelling units and up to 270,00 square feet of commercial land uses

in accordance with the Baumgarten MPUD Document, in accordance with Exhibits A through F attached hereto and incorporated by reference herein. The appropriate zoning atlas map or maps, as described in Ordinance Number 2004-41, as amended, the Collier County Land Development Code, is/are hereby amended accordingly.

SECTION TWO:

This Ordinance shall become effective upon filing with the Department of State.

PASSED AND DULY ADOPTED by super-majority vote of the Board of County Commissioners of Collier County, Florida, this 11th day of June, 2019.

ATTEST:
CRYSTAL K. KINZEL, CLERK

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

By: *Ann Joyce*
Deputy Clerk

By: *William L. McDaniel, Jr.*
William L. McDaniel, Jr., Chairman

Attest as to Chairman's
signature only.

Approved as to form and legality:

Heidi Ashton-Cicko *HAC 6-14-19*
Heidi Ashton-Cicko
Managing Assistant County Attorney

- Exhibit A: Permitted Uses
- Exhibit B: Development Standards
- Exhibit C: Master Plan
- Exhibit D: Legal Description
- Exhibit E: Requested Deviations from LDC
- Exhibit E1: Deviation #1 Cross Section
- Exhibit F: Developer Commitments

This ordinance filed with the
Secretary of State's Office the
11th day of June, 2019
and acknowledgement of that
filing received this 11th day
of June, 2019
By: *Ann Joyce*
Deputy Clerk

EXHIBIT A**BAUMGARTEN MPUD
PERMITTED USES**

A maximum of 400 residential dwelling units and 270,000 square feet of gross commercial floor area shall be permitted within the MPUD. Any commercial square footage above 250,000 square feet must include indoor self-storage. The uses are subject to the trip cap identified in Exhibit F, Section 4.a of this PUD. No building or structure, or part thereof, shall be erected, altered or used, or land used, in whole or in part, for other than the following:

MIXED-USE:**A. Principal Uses (SIC In Parenthesis):**

- | | | |
|-----|--|--------|
| 1. | Accident and Health Insurance Services | (6321) |
| 2. | Accounting, Auditing and Bookkeeping Services | (8721) |
| 3. | Adjustment services | (7322) |
| 4. | Advertising (consultants) agencies | (7311) |
| 5. | Advertising, not elsewhere classified | (7319) |
| 6. | Agricultural uses (interim until first certificate of occupancy for any permitted use) | (N/A) |
| 7. | Architectural services | (8712) |
| 8. | Animal Hospitals | (0742) |
| 9. | Auto and Home Supply Stores | (5531) |
| 10. | Automotive Washing and Polishing | (7542) |
| 11. | Bakeries, Retail | (5461) |
| 12. | Banks, commercial: national | (6021) |
| 13. | Banks, commercial: not chartered | (6029) |
| 14. | Banks, commercial: state | (6022) |
| 15. | Banks, savings: Federal | (6035) |
| 16. | Banks, savings: not federally chartered | (6036) |
| 17. | Barber Shops | (7241) |
| 18. | Beauty Shops | (7231) |
| 19. | Book Stores | (5942) |
| 20. | Breweries (limited to a maximum of 5,000 sq. ft.) | (2082) |
| 21. | Business Associations | (8611) |
| 22. | Business Consulting Services, not elsewhere classified | (8748) |
| 23. | Camera and Photographic Supply Stores | (5946) |
| 24. | Candy, Nut and Confectionery Stores | (5441) |

25.	Carpet and Upholstery Cleaning	(7217)
26.	Civic, Social and Fraternal Associations	(8641)
27.	Clothing and Accessory Stores, Men's and Boy's	(5611)
28.	Clothing Stores, Women's	(5621)
29.	Collection Services	(7322)
30.	Commodity Contracts Brokers and Dealers	(6221)
31.	Commercial Art and Graphic Design	(7336)
32.	Commercial Photography	(7335)
33.	Commercial Economic, Sociological and Educational Research	(8732)
34.	Computer and Computer Software Stores	(5734)
35.	Computer Facilities Management Services	(7376)
36.	Computer Maintenance and Repair	(7378)
37.	Computer Processing and Data Preparation Services	(7374)
38.	Computer Programming services	(7371)
39.	Computer Rental and Leasing	(7377)
40.	Credit Reporting Services	(7323)
41.	Credit Unions, Federal	(6061)
42.	Credit Unions, State: not federally chartered	(6062)
43.	Dairy Products Stores	(5451)
44.	Data Processing Consultants	(7379)
45.	Dance Studios, Schools and Halls	(7911)
46.	Data Processing Services	(7374)
47.	Dental Laboratories	(8072)
48.	Dentist Office/Clinic	(8021)
49.	Department Stores	(5311)
50.	Direct mail advertising service	(7331)
51.	Direct Selling Establishments	(5963)
52.	Doctors - Medicine Offices and Clinics	(8011)
53.	Doctors - Osteopathy Offices and Clinics	(8031)
54.	Doctors - Chiropractors Offices and Clinics	(8041)
55.	Dog Grooming	(0752)
56.	Drapery, Curtain and Upholstery Stores	(5714)
57.	Drinking Places (Alcoholic Beverages); Bottle Clubs and Cabarets are not permitted	(5813)
58.	Drug Stores	(5912)
59.	Dwelling Units - Multi-family and Townhouse, above retail or office uses	

60.	Eating Places, no outdoor dining may be located on the easternmost MU tract adjacent to Bent Creek Preserve PUD.	(5812)
61.	Engineering services: industrial, civil, electrical, mechanical, marine and design	(8711)
62.	Executive Offices	(9111)
63.	Executive and Legislative Offices Combined	(9131)
64.	Fire, Marine and Casualty Insurance Services	(6331)
65.	Florists	(5992)
66.	Food Stores, Miscellaneous	(5411, 5499)
67.	Foreign Branches and Agencies of Banks	(6081)
68.	Foreign Trade and International Banking Institutions	(6082)
69.	Funeral home or parlor	(7261)
70.	Garment Pressing, and Agents for Dry Cleaners	(7212)
71.	Gasoline Service Stations	(5541)
72.	General Automotive Repair Shops	(7538)
73.	General Government, not elsewhere classified	(9199)
74.	General Merchandise Stores (including warehouse clubs and discount retail superstores)	(5311-5399)
75.	Gift, Novelty and Souvenir Shops	(5947)
76.	Hair weaving or Replacement Services	(7299)
77.	Hardware Store	(5251)
78.	Health practitioners - not elsewhere classified	(8049)
79.	Hobby, Toy and Games Shops	(5945)
80.	Home health care services	(8082)
81.	Home Furniture and Furnishings Stores	(5712 – 5719)
82.	Household Appliance Stores	(5722)
83.	Hospital and Medical Service Plans	(6324)
84.	Information Retrieval Services	(7375)
85.	Insurance Carriers, not elsewhere classified	(6399)
86.	Investment Advice	(6282)
87.	Jewelry Stores	(5944)
88.	Land Subdividers and Developers	(6552)
89.	Landscape architects, consulting and planning	(0781)
90.	Laundries (Coin Operated) and Dry-cleaning	(7215)
91.	Legal services	(8111)
92.	Libraries (except regional libraries)	(8231)
93.	Life Insurance	(6311)
94.	Liquor Stores	(5921)
95.	Loan brokers	(6163)

96.	Luggage and Leather Goods Stores	(5948)
97.	Lumber and Other Building Materials Dealers (including home improvement superstores)	(5211)
98.	Management Services	(8741)
99.	Management Consulting Services	(8742)
100.	Markets, Meat and Fish (Seafood) Markets	(5421)
101.	Markets, Fruit and Vegetable Markets	(5431)
102.	Medical Equipment Rental and Leasing	(7352)
103.	Medical Laboratories	(8071)
104.	Membership Organizations, not elsewhere classified	(8699)
105.	Membership Warehouse Clubs with Gas and Liquor	(No SIC)
106.	Miniwarehouse/self-storage (indoor air conditioned only)	(4225)
107.	Miscellaneous amusement and recreational services not elsewhere classified. Only judo instruction, karate instruction, moped rental, motorcycle rental, rental of bicycles, scuba and skin diving instruction are permitted	(7999)
108.	Miscellaneous Business Credit Institutions	(6159)
109.	Miscellaneous Home Furnishings Stores	(5719)
110.	Miscellaneous personal services, not elsewhere classified excluding massage parlors, steam baths, tattoo parlors and Turkish baths. Day spas are permitted.	(7299)
111.	Miscellaneous Retail Stores, not elsewhere classified	(5999)
112.	Mortgage Bankers and Loan Correspondents	(6162)
113.	Motion Picture Theaters	(7832)
114.	Musical Instrument Stores	(5736)
115.	News Dealers and Newsstands	(5994)
116.	Nondeposit Trust Facilities	(6091)
117.	Optical Goods Stores	(5995)
118.	Optometrists - offices and clinics	(8042)
119.	Paint, Glass and Wallpaper Stores	(5231)
120.	Pension, Health and Welfare Funds	(6371)
121.	Personal Credit Institutions	(6141)
122.	Photocopying and Duplicating Services	(7334)
123.	Photographic Studios, Portrait	(7221)
124.	Photofinishing Laboratories	(7384)
125.	Physical Fitness Facilities	(7991)
126.	Podiatrists - offices and clinics	(8043)
127.	Political Organizations	(8651)

128.	Professional Membership Organizations	(8621)
129.	Professional Sports Clubs and Promoters, indoor only	(7941)
130.	Public Relations Services	(8743)
131.	Radio, Television and Consumer Electronics Stores	(5731)
132.	Radio, Television and Publishers Advertising Representatives	(7313)
133.	Real Estate Agents and Managers	(6531)
134.	Record and Prerecorded Tape Stores; adult video rental or sales prohibited	(5735)
135.	Religious Organizations	(8661)
136.	Repair Shops and Related Services, not elsewhere classified	(7699)
137.	Retail Nurseries, Lawn and Garden Supply Stores	(5261)
138.	Secretarial and Court Reporting Services	(7338)
139.	Security Brokers, Dealers and Flotation Companies	(6211)
140.	Security and Commodity Exchanges	(6231)
141.	Services Allied with the Exchange of Securities or Commodities, not elsewhere classified	(6289)
142.	Sewing, Needlework and Piece Goods Stores	(5949)
143.	Shoe Repair Shops and Shoeshine Parlors	(7251)
144.	Short-Term Business Credit Institutions, except agricultural	(6153)
145.	Social Services, Individual and Family (activity centers, elderly or handicapped only; day care centers for adult and handicapped only)	(8322)
146.	Sporting Goods Stores and Bicycle Shops	(5941)
147.	Stationery Stores	(5943)
148.	Stores, Children's and Infants Wear	(5641)
149.	Stores, Family Clothing	(5651)
150.	Stores, Miscellaneous Apparel and Accessory	(5699)
151.	Stores, Shoes	(5661)
152.	Stores, Women's Accessory and Specialty	(5632)
153.	Surety Insurance	(6351)
154.	Surveying Services	(8713)
155.	Tanning Salons	(7299)
156.	Tax Return Preparation Services	(7291)
157.	Tire retreading and repair shops, tire repair only	(7534)
158.	Title Abstract Offices	(6541)
159.	Title Insurance	(6361)
160.	Tobacco Stores and Stands	(5993)
161.	Travel Agencies (no other transportation services)	(4724)

- 162. Tutoring (8299)
- 163. Used Merchandise Stores (excluding pawn shops) (5932)
- 164. Veterinary services for animal specialties (0742)
- 165. Video Tape Rental, adult video rental or sales prohibited (7841)
- 166. Watch, Clock and Jewelry Repair (7631)
- 167. Any other principal use, which is comparable in nature with the foregoing list of permitted principal uses, as determined by the Board of Zoning Appeals ("BZA") or the Hearing Examiner.

B. Accessory Uses:

- 1. Uses and structures that are accessory and incidental to the permitted uses within this MPUD document.
- 2. Water management facilities to serve the project such as lakes.
- 3. Open space uses and structures such as, but not limited to, boardwalks, nature trails, gazebos and picnic areas.
- 4. Any other accessory and related use that is determined to be comparable in nature with the foregoing uses and consistent with the permitted accessory uses of this MPUD as determined by the BZA or the Hearing Examiner.

RESIDENTIAL:

A. Principal Uses:

- 1. Dwelling Units - Multi-family and Townhouse
- 2. Model homes / model sales or leasing offices
- 3. Any other principal use, which is comparable in nature with the foregoing list of permitted principal uses, as determined by the Board of Zoning Appeals ("BZA") or the Hearing Examiner.

B. Accessory Uses:

- 1. Accessory uses and structures customarily associated with the principal uses permitted in this MPUD, including but not limited to garages, carports, swimming pools, spas and screen enclosures.
- 2. Water management facilities to serve the project such as lakes.

3. Any other accessory and related use that is determined to be comparable in nature with the foregoing uses and consistent with the permitted accessory uses of this MPUD as determined by the BZA or the Hearing Examiner.

C. Amenity Area:

1. Principal Uses:

- a. Clubhouses, community administrative facilities and recreational facilities intended to serve residents and guests, including leasing and construction offices.
- b. Any other principal use, which is comparable in nature with the foregoing list of permitted principal uses, as determined by the Board of Zoning Appeals ("BZA") or the Hearing Examiner.

2. Accessory Uses:

- a. Accessory uses and structures customarily associated with the principal uses permitted in this MPUD, including but not limited to swimming pools and spas.
- b. Water management facilities to serve the project such as lakes.
- c. Open space uses and structures such as, but not limited to, boardwalks, nature trails, gazebos and picnic areas.
- d. Any other accessory and related use that is determined to be comparable in nature with the foregoing uses and consistent with the permitted accessory uses of this MPUD as determined by the BZA or the Hearing Examiner.

EXHIBIT B

**BAUMGARTEN MPUD
DEVELOPMENT STANDARDS**

The tables below set forth the development standards for land uses within the Baumgarten MPUD. Standards not specifically set forth herein shall be those specified in applicable sections of the LDC in effect as of the date of approval of the SDP or subdivision plat.

I. MIXED-USE:

	PRINCIPAL USES		ACCESSORY USES	
MINIMUM LOT AREA	10,000 Sq. Ft.		N/A	
AVERAGE LOT WIDTH	100 ft.		N/A	
MINIMUM YARDS (External)				
From Immokalee Road ROW	25 ft.		SPS	
From Collier Boulevard ROW	25 ft.		SPS	
From Eastern Project Boundary***	50 ft.		15 ft	
From Southern Project Boundary	200 ft. Minimum		200 ft. Minimum	
MINIMUM YARDS (Internal)				
Internal Drives/ROW	10 ft.		10 ft	
Rear	10 ft.		10 ft.	
Side	10 ft.		10 ft.	
Lakes (measured from control elevation)	25 ft.		20 ft.*	
Preserve	25 ft.		10 ft.	
MIN. DISTANCE BETWEEN STRUCTURES	1/2 the sum of building heights		10 Ft.	
MAXIMUM HEIGHT***	ZONED	ACTUAL	ZONED	ACTUAL
Retail Buildings	45 ft.	65 ft.	35 ft.	45 ft.
Office Buildings and Hotel/Motel	55 ft.	65 ft.	35 ft.	45 ft.
MINIMUM FLOOR AREA (ground floor)	1,000 sq. ft. **		N/A	
MAXIMUM GROSS COMMERCIAL AREA	270,000 sq. ft.		N/A	

* No structure may be located closer than 20 feet to the control elevation of a lake (allowing for the required minimum 20-foot wide lake maintenance easement).

** Per principal structure. Kiosk vendor, concessions, and temporary or mobile sales structures shall be permitted to have a minimum floor area of twenty-five (25) square feet and shall be subject to the accessory structure standards set forth in the LDC.

*** Any building exceeding 50 feet in height shall increase its setback by one foot for each one foot exceeding 50 feet of zoned height from the eastern PUD boundary. No dumpster enclosure permitted within 105 feet of the eastern PUD boundary.

Note: Residential dwellings may be constructed above retail or office use.

II. RESIDENTIAL:

PRINCIPAL STRUCTURE *6	TOWNHOUSE (PER UNIT)	MULTI-FAMILY	AMENITY AREA *4
Minimum Lot Area	1,440 SF	43,560 SF	N/A
Minimum Lot Width	18 feet	N/A	N/A
Minimum Lot Depth	80 feet	N/A	N/A
Minimum Front Yard Setback	20 feet *2	20 feet *2	15 feet
Minimum Side Yard Setback	0/10 feet *1	0/10 feet *1	15 feet
Minimum Rear Yard Setback	15 feet	15 feet	15 feet
Minimum Preserve Setback	25 feet	25 feet	25 feet
Minimum PUD Boundary Setback	105 feet	105 feet	105 feet *5
Maximum Building Height Zoned Actual	45 feet 50 feet	55 feet 65 feet	25 feet 35 feet
Minimum Distance Between Buildings	20 feet	20 feet	N/A
Floor Area Minimum, per unit	750 SF	684 SF	N/A
ACCESSORY STRUCTURES *6			
Minimum Front Yard Setback *2	15 feet	15 feet	10 feet
Minimum Side Yard Setback	10 feet	10 feet	10 feet
Minimum Rear Yard Setback *3	10 feet	10 feet	10 feet
Minimum Preserve Setback	10 feet	10 feet	10 feet
Minimum PUD Boundary Setback	15 feet	15 feet	15 feet*7
Minimum Distance Between Buildings	0/10 feet	0/10 feet	N/A
Maximum Height Zoned Actual	35 feet 40 feet	35 feet 40 feet	25 feet 30 feet

SPS – Same as Principal Structure

BH – Building Height (zoned height)

*1 – Minimum separation between adjacent dwelling units, if detached, shall be 10'.

*2 – Front yards shall be measured from back of curb (if curbed) or edge of pavement (if not curbed) for private streets or drives, and from ROW line for any public roadway. Single-family front entry garages shall have a 23' setback from back of sidewalk.

*3 – All landscape Buffer Easements and/or Lake Maintenance Easements shall be located within open space tracts or lake tracts and not be within a residential lot. Where a home site abuts a Landscape Buffer Easement or Lake Maintenance Easement within open space tracts or lake tracts, the accessory structure setback on the residential lot may be reduced to zero (0) feet where it abuts the easement.

*4 – When not located in a residential building within the "R" tract.

*5 – Does not apply to passive recreational uses such as trails/pathways.

*6 – Community structures such as guardhouses, gatehouses, fences, walls, columns, decorative architectural features, streetscape, passive parks and access control structures shall have no required setback, except as listed below, and are permitted throughout the "R" designated areas of the PUD; however such structures shall be located such that they do not cause vehicular stacking into the road right-of-way or create site distance issues for motorists and pedestrians.

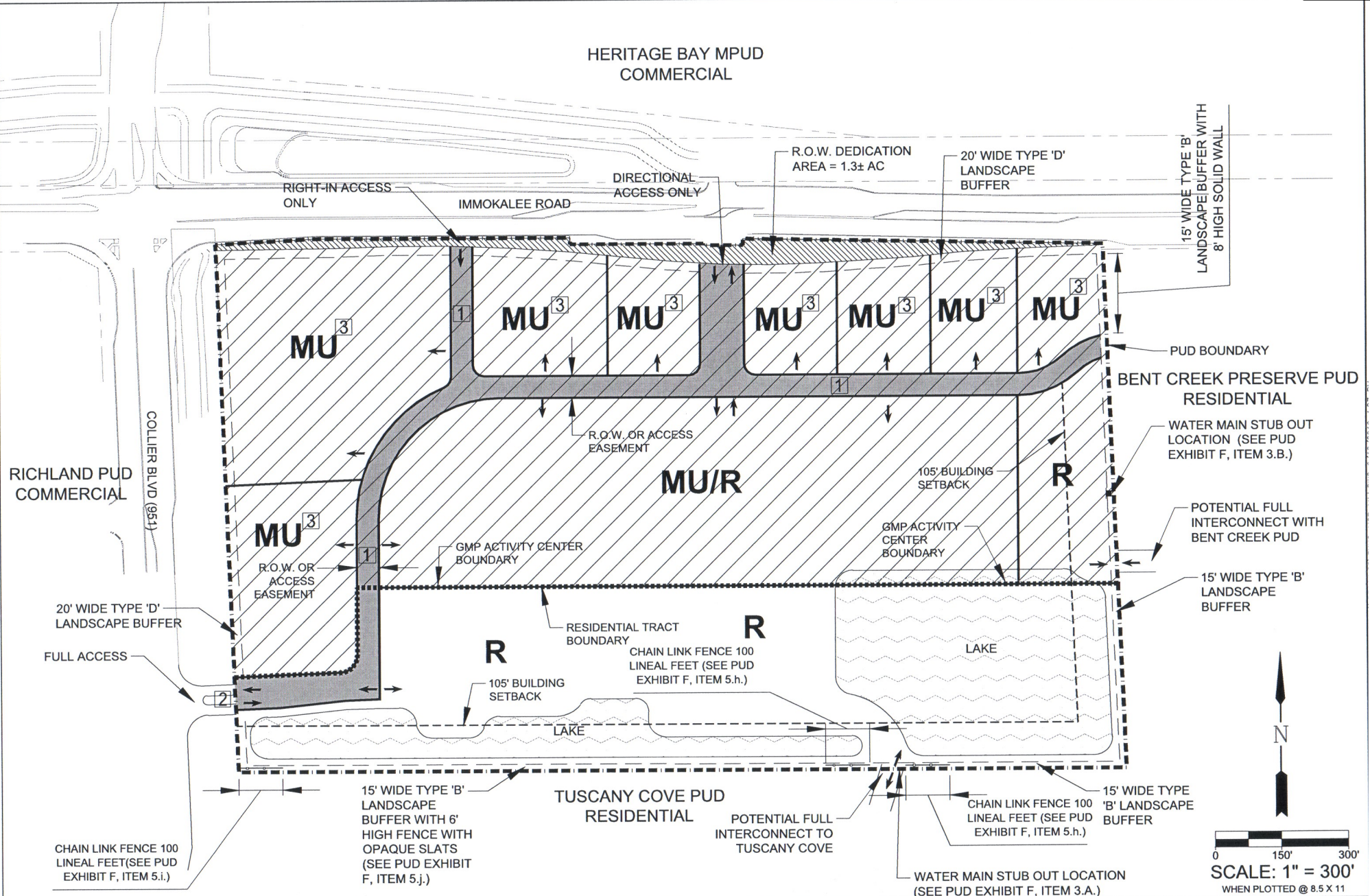
*7 – No swimming pool or dumpster enclosure may be located within 105 feet of the southern or eastern PUD boundary.

Maximum Height for Guardhouses/Gatehouses:

Zoned: 25'

Actual: 30'

Note: nothing in this MPUD Document shall be deemed to approve a deviation from the LDC unless it is expressly stated in a list of deviations.



LEGEND # = DEVIATION ACTIVITY CENTER LIMITS	GradyMinor Civil Engineers • Land Surveyors • Planners • Landscape Architects Cert. of Auth. EB 0003151 Cert. of Auth. LB 0005151 Bonita Springs: 239.947.1144 www.GradyMinor.com Fort Myers: 239.690.4380 Q. Grady Minor and Associates, P.A. 3800 Via Del Rey Bonita Springs, Florida 34134	BAUMGARTEN MPUD EXHIBIT C MASTER PLAN REVISED 06/12/2019	SCALE: 1" = 300' JOB CODE: PNPUDZ DATE: MAY 2017 FILE NAME: EXHC-MCP-V11 SHEET 1 OF 2
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Attachment: Attachment C - Hearing Package Backup (17593 : PL20210000379 PDI Baumgarten PUD

SITE SUMMARY

TOTAL SITE AREA: 55.66± ACRE

MIXED USE (MU)	20± AC (36%)
MIXED USE OR RESIDENTIAL (MU/R)	14± AC (25%)
RESIDENTIAL (R)	10± AC (18%)
AMENITY AREA (IN R AREA)	0.5± AC (1%)
WATER MANAGEMENT	8± AC (15%)
ROW DEDICATION AREA	1.3± AC (2%)
BUFFERS	1.86± AC (3%)

RESIDENTIAL: MAXIMUM 400 DWELLING UNITS

COMMERCIAL: MAXIMUM 270,000 S.F.

OPEN SPACE:

REQUIRED: 30%

PROVIDED: 30%

DEVIATIONS (APPLIES TO ENTIRE PROJECT, SEE EXHIBIT E)

1. STREET SYSTEM REQUIREMENTS AND APPENDIX B
2. DIRECTORY SIGNS
3. GROUND SIGNS

NOTES

1. THIS PLAN IS CONCEPTUAL IN NATURE AND IS SUBJECT TO MINOR MODIFICATION DUE TO AGENCY PERMITTING REQUIREMENTS.
2. THE SITE CONTAINS NO NATIVE VEGETATION COMMUNITIES AND NO ORIGINAL NATIVE TREES REMAIN; THEREFORE NO NATIVE VEGETATION PRESERVATION IS REQUIRED.

LEGEND**GradyMinor**

Q. Grady Minor and Associates, P.A.
3800 Via Del Rey
Bonita Springs, Florida 34134

Civil Engineers • Land Surveyors • Planners • Landscape Architects
Cert. of Auth. EB 0005151 Cert. of Auth. LB 0005151 Business LC 26000266
Bonita Springs: 239.947.1144 www.GradyMinor.com Fort Myers: 239.690.4380

BAUMGARTEN MPUD

EXHIBIT C
MASTER PLAN NOTES
REVISED 05/16/2019

SCALE:
1" = 300'
JOB CODE:
PNPUDZ
DATE:
MAY 2017
FILE NAME:
EXHC-MCP-V10
SHEET 2 OF 2

EXHIBIT D

BAUMGARTEN MPUD
LEGAL DESCRIPTION

PARCEL 1 (PARCEL NO. 00192920001):

THE NW 1/4 OF THE NW 1/4, SECTION 26, TOWNSHIP 48 SOUTH, RANGE 26 EAST, LESS THE NORTH 100 FEET PREVIOUSLY CONVEYED FOR ROAD RIGHT-OF-WAY AND LESS RIGHT OF WAY DESCRIBED IN O.R. BOOK 2568, PAGE 1176 AND LESS RIGHT OF WAY DESCRIBED IN O.R. BOOK 3328, PAGE 1487, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

PARCEL 2 (PARCEL NO. 00192360001):

THE WEST 60% OF THE NE 1/4 OF THE NW 1/4, SECTION 26, TOWNSHIP 48 SOUTH, RANGE 26 EAST, LESS THE NORTH 100 FEET PREVIOUSLY CONVEYED FOR ROAD RIGHT-OF-WAY AND LESS ROAD RIGHT-OF-WAY DESCRIBED IN O.R. BOOK 3328, PAGE 1487, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

THE ABOVE DESCRIBED LANDS BEING SUBJECT TO THE TERMS OF THAT BOUNDARY LINE AGREEMENT RECORDED IN OFFICIAL RECORD BOOK 2228, PAGE 1540, COLLIER COUNTY, FLORIDA, AND SAID LANDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A TRACT OR PARCEL OF LAND LYING IN SECTION 26, TOWNSHIP 48 SOUTH, RANGE 26 EAST, COLLIER COUNTY, FLORIDA,
COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 26, THENCE S.89°58'37"E. ALONG THE NORTH LINE OF SAID SECTION 26, A DISTANCE OF 105.55 FEET; THENCE S.00°01'23"W. DEPARTING SAID NORTH LINE, A DISTANCE OF 136.96 FEET TO AN INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF IMMOKALEE ROAD AND THE POINT OF BEGINNING.
FROM SAID POINT OF BEGINNING, THENCE RUN ALONG SAID SOUTH RIGHT-OF-WAY THE FOLLOWING NINE (9) COURSES:

1. N.86°54'32"E., A DISTANCE OF 220.75 FEET,
2. S.89°58'57"E., A DISTANCE OF 585.17 FEET,
3. S.00°01'25"W., A DISTANCE OF 15.00 FEET,
4. S.89°58'25"E., A DISTANCE OF 301.91 FEET,
5. S.00°01'35"W., A DISTANCE OF 3.94 FEET,
6. S.89°58'25"E., A DISTANCE OF 89.97 FEET,
7. N.00°01'25"E., A DISTANCE OF 15.00 FEET,
8. S.88°54'04"E., A DISTANCE OF 22.92 FEET,
9. S.88°54'04"E., A DISTANCE OF 793.22 FEET;

TO AN INTERSECTION WITH THE WEST BOUNDARY LINE OF THE PLAT OF BENT CREEK PRESERVE, AS RECORDED IN PLAT BOOK 55, PAGE 61, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA; THENCE S.02°16'43"E. DEPARTING SAID SOUTH RIGHT-OF-WAY ALONG SAID WEST BOUNDARY LINE, A DISTANCE OF 1,194.23 FEET TO AN INTERSECTION WITH THE NORTH BOUNDARY LINE OF THE PLAT OF TUSCANY COVE, AS RECORDED IN PLAT BOOK 42, PAGE 15, OF SAID PUBLIC RECORDS; THENCE N.89°59'25"W. ALONG SAID NORTH LINE, A DISTANCE OF 2,013.46 FEET TO AN INTERSECTION WITH THE EAST LINE OF A 100 FOOT WIDE CANAL RIGHT-OF-WAY, AS RECORDED IN OFFICIAL RECORDS BOOK 12, PAGE 348, OF SAID PUBLIC RECORDS; THENCE N.02°15'50"W., ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 1,201.93 FEET TO THE POINT OF BEGINNING.

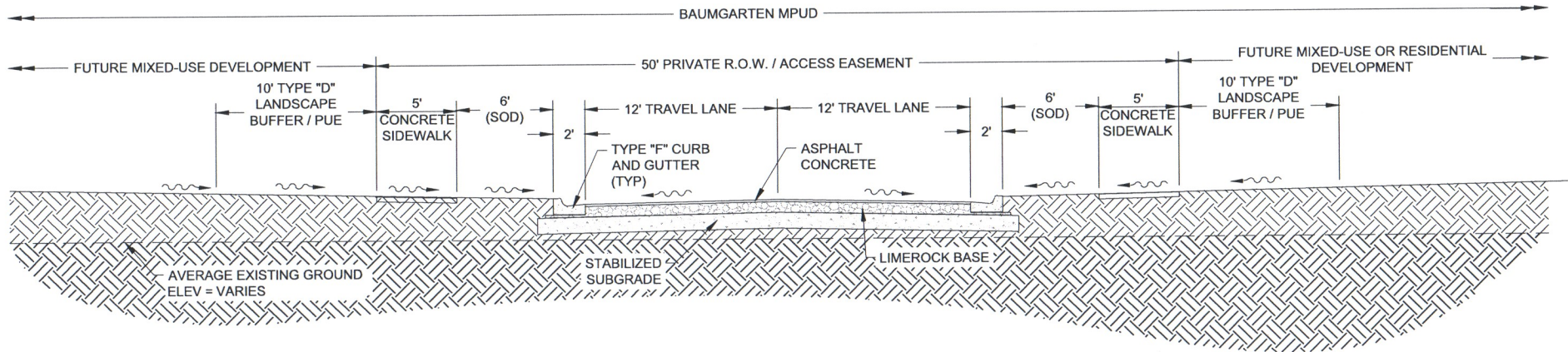
PARCEL NO. 00192920001 CONTAINS 33.82 ACRES, MORE OR LESS.

PARCEL NO. 00192360001 CONTAINS 21.84 ACRES, MORE OR LESS.

TOTAL PARCEL CONTAINS 55.66 ACRES, MORE OR LESS.

EXHIBIT E**BAUMGARTEN MPUD
DEVIATIONS FROM THE LDC**

- DEVIATION 1: From LDC Section 6.06.01. – “Street System Requirements” and “Appendix B, Typical Street Sections and Right-of-Way Design Standards”. The LDC establishes a minimum 60-foot right of way width for local streets. This deviation proposes to instead allow for private roads within the site to be located in a 50-foot wide access easement or Right-of-Way, as shown on the Master Plan and in Exhibit E1, Deviation #1 Cross Section.
- DEVIATION 2: From LDC Section 5.06.04.F.3, “Directory Signs”, which requires a Directory Sign to be a maximum of 20 feet in height and a maximum of 200 square feet, to instead allow the Directory Sign located at the Collier Boulevard entrance to the MPUD to be a maximum of 25 feet in height and a maximum of 250 square feet in size.
- DEVIATION 3: From LDC Sections 5.06.04.F1 and 5.06.04.F.2, “Ground Signs”, which allows each outparcel to have a single ground sign along a public street, to instead allow outparcels and individual free standing uses within the MPUD to have one additional ground sign that is oriented to the internal private by-pass driveway (labeled as R.O.W or access easement on the Master Plan) that is provided for in the MPUD.



LEGEND



GradyMinor

O. Grady Minor and Associates, P.A.
3800 Via Del Rey
Bonita Springs, Florida 34134

Civil Engineers • Land Surveyors • Planners • Landscape Architects
Cert. of Auth. EB 0005151 Cert. of Auth. LB 0005151 Business Lic. 26000266
Bonita Springs: 239.947.1144 www.GradyMinor.com Fort Myers: 239.690.4380

BAUMGARTEN MPUD

EXHIBIT E1
DEVIATION #1 CROSS SECTION
REVISED 03/11/2019

SCALE:
1" = 10'
JOB CODE:
PNPUDZ
DATE:
JULY 2017
FILE NAME:
EXHC-MCP-V6
SHEET 1 OF 1

EXHIBIT F

**BAUMGARTEN MPUD
DEVELOPMENT COMMITMENTS**

1. PUD MONITORING

One entity (hereinafter the Managing Entity) shall be responsible for PUD monitoring until close-out of the PUD, and this entity shall also be responsible for satisfying all PUD commitments until close-out of the PUD. At the time of this PUD approval, the Managing Entity is BCHD Partners II, LLC, 2600 Golden Gate Parkway, Naples, FL 34105. Should the Managing Entity desire to transfer the monitoring and commitments to a successor entity, then it must provide a copy of a legally binding document that needs to be approved for legal sufficiency by the County Attorney. After such approval, the Managing Entity will be released of its obligations upon written approval of the transfer by County staff, and the successor entity shall become the Managing Entity. As Owner and Developer sell off tracts, the Managing Entity shall provide written notice to County that includes an acknowledgement of the commitments required by the PUD by the new owner and the new owner's agreement to comply with the Commitments through the Managing Entity, but the Managing Entity shall not be relieved of its responsibility under this Section. When the PUD is closed-out, then the Managing Entity is no longer responsible for the monitoring and fulfillment of PUD commitments.

2. MISCELLANEOUS

- a. All other applicable state or federal permits must be obtained before commencement of the development.
- b. Pursuant to Section 125.022(5) F.S., Issuance of a development permit by a county does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the county for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.
- c. Parking lot lighting shall be dark sky compliant (flat panel, full cut off fixtures—BUG rating where $U = 0$) to avoid light spill onto adjacent properties. Fixtures within 50-ft of residential properties along the PUD boundary shall be set at no higher than a 15-ft mounting height. Otherwise the site light poles shall not exceed a 25-ft mounting height. Light levels along the PUD boundary shall be limited to no more than 0.2-ft-candles along the joint property line where adjacent to residential property (i.e. not applicable to Collier Blvd and Immokalee Rd). However light levels at

interconnections identified on the Master Plan may be standard lighting for residential development.

3. UTILITIES

- a. As part of the subdivision plat approval or SDP for the residential portion of the PUD, the owner shall provide a water main stub-out to the southern property line of the PUD, at the interconnect location shown on the PUD Master Plan, in a location determined by the owner and approved by the County. A County Utility Easement will be conveyed by owner to County at no cost to the County for the water main stub-out and shall be shown on the recorded plat or recorded by separate instrument prior to preliminary acceptance of utilities. The stub-out shall be sized to supply fire flow to the PUD under maximum day conditions, as required by Collier County Design Criteria in the Collier County Water-Sewer District Utilities Standards Manual, as adopted by Ordinance 2004-31, as amended, and as further amended by Resolution No. 2014-258, or its successor resolution. This stub-out will not be required if the residential tract is master metered.
- b. As part of the subdivision plat approval or SDP for the residential portion of the PUD, the owner shall provide a water main stub-out to the eastern property line of the PUD, at the location of the terminus of Glenforest Drive within the Bent Creek Preserve RPUD. A County Utility Easement will be conveyed by owner to County at no cost to the County for the water main stub-out and shall be shown on the recorded plat or recorded by separate instrument prior to preliminary acceptance of utilities. The stub-out shall be sized to supply fire flow to the PUD under maximum day conditions, as required by Collier County Design Criteria in the Collier County Water-Sewer District Utilities Standards Manual, as adopted by Ordinance 2004-31, as amended, and as further amended by Resolution No. 2014-258, or its successor resolution. This stub-out will not be required if the residential tract is master metered.

4. TRANSPORTATION

- a. The maximum net external trip generation for the PUD shall not exceed 1,159 two-way PM peak hour trips as a mixed-use commercial/residential project (internal capture and pass by trips deducted). The trips will be based on the applicable land use codes in the Institute of Transportation Engineers (ITE) Trip Generation Manual in effect at the time of application for Site Development Plan (SDP), or Plat and Construction Plan (PPL) approval.
- b. As a part of the first application for Site Development Plan or Plat for construction of the development an operational Transportation Impact Statement will be provided that includes the entire development (highest and best use) for review and approval by Collier County Transportation staff which will be updated/revised with each subsequent SDP or Plat application until the build-out condition is achieved.

5. SPECIAL CONDITIONS

- a. No adult orientated sales are permitted.
- b. For commercial uses, outdoor music and televisions shall be limited to the areas that are a minimum of 500 feet from the southern and eastern PUD boundaries. There will be no outdoor amplified sound between the hours of 10 p.m. and 8 a.m. weekdays and 12 a.m. and 8 a.m. on weekends. There will be no outdoor dining on the MU Tract adjacent to Bent Creek Preserve PUD.
- c. Dumpsters shall be oriented as far away from residential units as possible.
- d. Delivery bays shall not abut external residential development.
- e. Service bays related to automobile service and repair shall be located so that they do not face any external residential district within 1500 feet.
- f. All pole lighting located in Amenity Areas shall be limited to flat full cutoff shields.
- g. Residential Amenity Area – no amplified sound after 10:00 p.m. and no lighted recreational facilities, other than low illumination ground mounted light, after 10:00 p.m.
- h. Pedestrian and vehicular interconnection to Tuscan Cove shall be gated and six foot high, chain link fencing shall be extended 100 lineal feet on each side of the gated access prior to the first Certificate of Occupancy for the residential dwelling units adjacent to the southern PUD boundary.
- i. 100 lineal feet of six foot high, chain link fencing shall be installed near the southwest portion of the site as shown on the Master Plan prior to the first Certificate of Occupancy for the residential dwelling units adjacent to the southern PUD boundary.
- j. As part of the initial project site work, the developer shall install the berm and perimeter landscape buffers along the southern and eastern PUD boundaries. The southern perimeter landscape buffer shall include a 6-foot high fence with opaque slats. Within the southern landscape buffer, the developer shall provide supplemental landscape plantings meeting the type C landscape buffer canopy tree requirement where the Tuscan Cove landscape buffer has missing canopy trees. This supplemental planting shall occur within the Baumgarten PUD's 15-foot wide landscape buffer.



FLORIDA DEPARTMENT of STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

June 17, 2019

Ms. Ann Jennejohn, Senior Deputy Clerk
Office of the Clerk of the Circuit Court
& Comptroller of Collier County
3299 Tamiami Trail, Suite #401
Naples, Florida 34112-5324

Dear Ms. Jennejohn:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Collier County Ordinance No. 19-11, which was filed in this office on June 17, 2019.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

HEX NO. 2020-15

HEARING EXAMINER DECISION

DATE OF HEARING.

September 24, 2020

PETITION.

PETITION NO. MPUD PL20200000048 Baumgarten MPUD - Request for an insubstantial change to the Baumgarten Planned Unit Development (PUD) by seeking deviations from LDC Sections 5.05.05 B.1., 5.05.05. D.2.a., and 5.05.05. D.2.b. "Facilities with Fuel Pumps" and LDC Sections 5.06.02.B.14, 5.06.02.B.14.a. and 5.06.02.B.14.b. "Boundary Marker Sign," LDC Section 5.06.04.F.2.b., "Outparcels-Ground Signs" and LDC Section 5.06.04. F.3., "Directory Signs" and modifying previously approved Deviation #3. The subject PUD is 55.66± acres located at the southeast quadrant of Immokalee Road and Collier Boulevard, in Section 26, Township 48 South, Range 26 East, Collier County, Florida.

STAFF RECOMMENDATION.

Approval with conditions.

FINDINGS.

1. The public hearing for this Petition was properly noticed and conducted in accordance with all County and state requirements.
2. The public hearing was conducted electronically and in-person in accordance with Emergency/Executive Order 2020-04.
3. The Petitioner and/or Petitioner's representative executed the Hybrid Virtual Quasi-Judicial Public Hearing Waiver related to conducting the public hearing electronically and in-person.
4. The Petitioner and/or Petitioner's representative presented the Petition, followed by County staff and then public comment.

ANALYSIS.

Based on a review of the record including the Petition, application, exhibits, the County's staff report, and hearing comments and testimony from the Petitioner and/or the Petitioner's representative(s), County staff and any given by the public, the Hearing Examiner finds that there is sufficient competent, substantial evidence as applied to the criteria set forth in Section 10.02.13.E.1 of the Land Development Code to approve Petition.

DECISION.

The Hearing Examiner hereby APPROVES Petition Number PDI-PL202000000048, filed by Richard D. Yovanovich, Esq. of Coleman, Yovanovich and Koester, P.A. representing D. Wayne Arnold, AICP of Q. Grady Minor and Associates, P.A., with respect to the property as described Ordinance Number 2019-11, 55.66± acres, located at the southeast quadrant of Immokalee Road and Collier Boulevard, in Section 26, Township 48, Range 26, Collier County, Florida, for the following:

- An insubstantial change to the Baumgarten Planned Unit Development (PUD) by seeking deviations from LDC Sections 5.05.05 B.1., 5.05.05. D.2.a., and 5.05.05. D.2.b. "Facilities with Fuel Pumps" and LDC Sections 5.06.02.B.14, 5.06.02.B.14.a. and 5.06.02.B.14.b. "Boundary Marker Sign," LDC Section 5.06.04.F.2.b., "Outparcels-Ground Signs" and LDC Section 5.06.04. F.3., "Directory Signs" and modifying previously approved Deviation #3.

Said changes are subject to the condition(s) set forth below.

ATTACHMENTS.

Exhibit A – None.

LEGAL DESCRIPTION.

See Ordinance Number 2019-11, 55.66± acres, located at the southeast quadrant of Immokalee Road and Collier Boulevard, in Section 26, Township 48, Range 26, Collier County, Florida.

CONDITIONS.

1. All other applicable state or federal permits must be obtained before commencement of the development.

DISCLAIMER.

Pursuant to Section 125.022(5) F.S., issuance of a development permit by a county does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the county for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

APPEALS.

This decision becomes effective on the date it is rendered. Pursuant to Ordinance 2013-25, as amended, a Hearing Examiner Decision may be appealed to the Board of County Commissioners or the Board of Zoning Appeals, as appropriate. Appeals must be filed within 30 days of the date the Hearing Examiner Decision is rendered.

RECORD OF PROCEEDINGS AND EXHIBITS: SEE CLERK OF COURT, MINUTES AND RECORDS DEPARTMENT. DECISIONS OF THE HEARING EXAMINER FOR VARIANCES, CONDITIONAL USES, AND BOAT DOCK EXTENSIONS SHALL BE NOTED ON THE ZONING MAP FOR INFORMATIONAL PURPOSES.

October 7, 2020

Date



Andrew Dickman, Esq., AICP
Hearing Examiner

HEX NO. 2020-27

CORRECTIVE HEARING EXAMINER DECISION

(To Correct Scrivener's Error in Hex No. 2020-15)

DATE OF HEARING.

This CORRECTIVE DECISION is approved on December 2, 2020, in order to correct a scrivener's error in HEX Decision No. 2020-15, wherein the exhibits to the decision were inadvertently not included.

PETITION.

PETITION NO. MPUD PL20200000048 Baumgarten MPUD - Request for an insubstantial change to the Baumgarten Planned Unit Development (PUD) by seeking deviations from LDC Sections 5.05.05 B.1., 5.05.05. D.2.a., and 5.05.05. D.2.b. "Facilities with Fuel Pumps" and LDC Sections 5.06.02.B.14, 5.06.02.B.14.a. and 5.06.02.B.14.b. "Boundary Marker Sign," LDC Section 5.06.04.F.2.b., "Outparcels-Ground Signs" and LDC Section 5.06.04. F.3., "Directory Signs" and modifying previously approved Deviation #3. The subject PUD is 55.66± acres located at the southeast quadrant of Immokalee Road and Collier Boulevard, in Section 26, Township 48 South, Range 26 East, Collier County, Florida.

STAFF RECOMMENDATION.

Approval with conditions.

FINDINGS.

1. The public hearing for this Petition was properly noticed and conducted in accordance with all County and state requirements.
2. The public hearing was conducted electronically and in-person in accordance with Emergency/Executive Order 2020-04.
3. The Petitioner and/or Petitioner's representative executed the Hybrid Virtual Quasi-Judicial Public Hearing Waiver related to conducting the public hearing electronically and in-person.
4. The Petitioner and/or Petitioner's representative presented the Petition, followed by County staff and then public comment.

ANALYSIS.

Based on a review of the record including the Petition, application, exhibits, the County's staff report, and hearing comments and testimony from the Petitioner and/or the Petitioner's representative(s), County staff and any given by the public, the Hearing Examiner finds that there

is sufficient competent, substantial evidence as applied to the criteria set forth in Section 10.02.13.E.1 of the Land Development Code to approve Petition.

DECISION.

The Hearing Examiner hereby APPROVES Petition Number PDI-PL202000000048, filed by Richard D. Yovanovich, Esq. of Coleman, Yovanovich and Koester, P.A. representing D. Wayne Arnold, AICP of Q. Grady Minor and Associates, P.A., with respect to the property as described Ordinance Number 2019-11, 55.66± acres, located at the southeast quadrant of Immokalee Road and Collier Boulevard, in Section 26, Township 48, Range 26, Collier County, Florida, for the following:

- An insubstantial change to the Baumgarten Planned Unit Development (PUD) by seeking deviations from LDC Sections 5.05.05 B.1., 5.05.05. D.2.a., and 5.05.05. D.2.b. "Facilities with Fuel Pumps" and LDC Sections 5.06.02.B.14, 5.06.02.B.14.a. and 5.06.02.B.14.b. "Boundary Marker Sign," LDC Section 5.06.04.F.2.b., "Outparcels-Ground Signs" and LDC Section 5.06.04. F.3., "Directory Signs" and modifying previously approved Deviation #3.

Said changes are subject to the condition(s) set forth below.

ATTACHMENTS.

Exhibit A – Baumgarten MPUD Master Plan Revised 4/1/20

Exhibit B - Baumgarten MPUD Deviations from the LDC

LEGAL DESCRIPTION.

See Ordinance Number 2019-11, 55.66± acres, located at the southeast quadrant of Immokalee Road and Collier Boulevard, in Section 26, Township 48, Range 26, Collier County, Florida.

CONDITIONS.

1. All other applicable state or federal permits must be obtained before commencement of the development.

DISCLAIMER.

Pursuant to Section 125.022(5) F.S., issuance of a development permit by a county does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the county for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

APPEALS.

This decision becomes effective on the date it is rendered. Pursuant to Ordinance 2013-25, as amended, a Hearing Examiner Decision may be appealed to the Board of County Commissioners or the Board of Zoning Appeals, as appropriate. Appeals must be filed within 30 days of the date the Hearing Examiner Decision is rendered.

RECORD OF PROCEEDINGS AND EXHIBITS: SEE CLERK OF COURT, MINUTES AND RECORDS DEPARTMENT. DECISIONS OF THE HEARING EXAMINER FOR VARIANCES, CONDITIONAL USES, AND BOAT DOCK EXTENSIONS SHALL BE NOTED ON THE ZONING MAP FOR INFORMATIONAL PURPOSES.

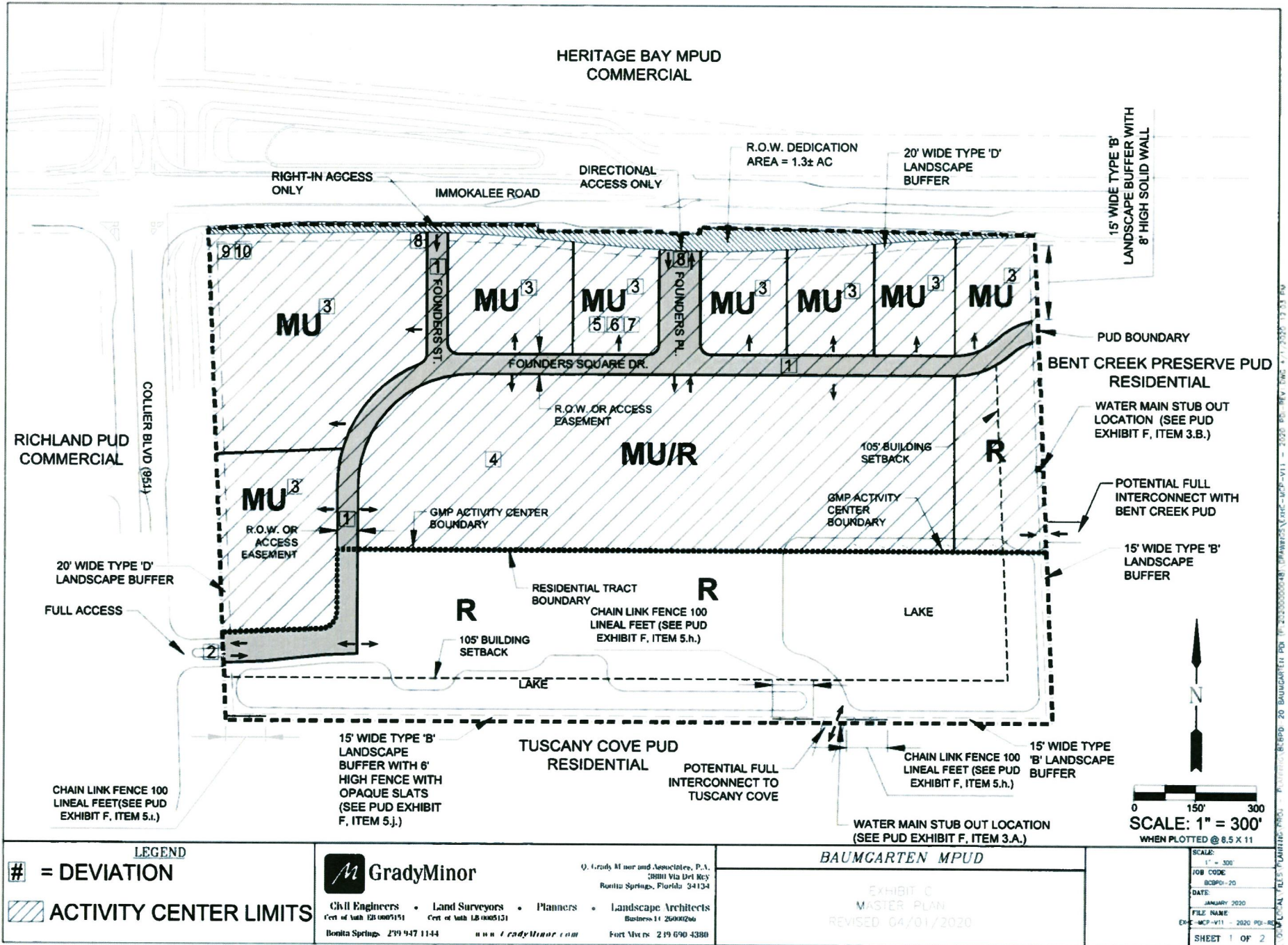
December 2, 2020

Date



Andrew Dickman, Esq., AICP
Hearing Examiner

EXHIBIT "A"



SITE SUMMARY**TOTAL SITE AREA: 55.66± ACRE**

MIXED USE (MU)	20± AC (36%)
MIXED USE OR RESIDENTIAL (MU/R)	14± AC (25%)
RESIDENTIAL (R)	10± AC (18%)
AMENITY AREA (IN R AREA)	0.5± AC (1%)
WATER MANAGEMENT	8± AC (15%)
ROW DEDICATION AREA	1.3± AC (2%)
BUFFERS	1.86± AC (3%)

RESIDENTIAL: MAXIMUM 400 DWELLING UNITS**COMMERCIAL: MAXIMUM 270,000 S.F.****OPEN SPACE:****REQUIRED: 30%****PROVIDED: 30%****NOTES**

1. THIS PLAN IS CONCEPTUAL IN NATURE AND IS SUBJECT TO MINOR MODIFICATION DUE TO AGENCY PERMITTING REQUIREMENTS.
2. THE SITE CONTAINS NO NATIVE VEGETATION COMMUNITIES AND NO ORIGINAL NATIVE TREES REMAIN; THEREFORE NO NATIVE VEGETATION PRESERVATION IS REQUIRED.

DEVIATIONS (APPLIES TO ENTIRE PROJECT, SEE EXHIBIT E)

1. STREET SYSTEM REQUIREMENTS AND APPENDIX B
2. DIRECTORY SIGNS
3. GROUND SIGNS
4. GROUND SIGNS
5. LANDSCAPING AND MASONRY WALL STANDARDS
6. LANDSCAPING AND MASONRY WALL STANDARDS
7. SITE DESIGN REQUIREMENTS
8. DIRECTORY SIGNS
9. BOUNDARY MARKER SIGN
10. BOUNDARY MARKER SIGN

LEGEND**GradyMinor**

G. Grady Minor and Associates, P.A.
3000 Via Del Rey
Bonita Springs, Florida 34134

Civil Engineers • Land Surveyors • Planners • Landscape Architects
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BAUMGARTEN MPUD

EXHIBIT C
MASTER PLAN NOTES
REVISED 04/01/2020

SCALE:
N.T.S.
JOB CODE:
BCSPD-20
DATE:
JANUARY 2020
FILE NAME:
D:\-MCP-V11 - 2020 PD-R0
SHEET 2 OF 2

EXHIBIT “B”

**BAUMGARTEN MPUD
DEVIATIONS FROM THE LDC**

- DEVIATION 1: From LDC Section 6.06.01. – “Street System Requirements” and “Appendix B, Typical Street Sections and Right-of-Way Design Standards”. The LDC establishes a minimum 60-foot right of way width for local streets. This deviation proposes to instead allow for private roads within the site to be located in a 50-foot wide access easement or Right-of-Way, as shown on the Master Plan and in Exhibit E1, Deviation #1 Cross Section.
- DEVIATION 2: From LDC Section 5.06.04.F.3, “Directory Signs”, which requires a Directory Sign to be a maximum of 20 feet in height and a maximum of 200 square feet, to instead allow the Directory Sign located at the Collier Boulevard entrance to the MPUD to be a maximum of 25 feet in height and a maximum of 250 square feet in size.
- DEVIATION 3: From LDC Sections 5.06.04.F.1 ~~and 5.06.04.F.2~~, “Ground Signs”, which allows each ~~outparcel or tract~~ to have a single ground sign along a public street, to ~~instead also allow outparcels or tracts~~ and individual free standing uses abutting Collier Boulevard and Immokalee Road within the MPUD to have one additional ground sign that is oriented to the internal private by-pass driveway (labeled as R.O.W or access easement on the Master Plan) that is provided for in the MPUD. The second sign shall be limited to 6 feet in height and 40 square feet in sign area.
- DEVIATION 4: Relief from LDC Section 5.06.04.F.2.b, “Outparcels-Ground Signs”, which allows each parcel or tract to have a single ground sign along a public street, to also allow platted interior tracts, not adjacent to Immokalee Road or Collier Boulevard, to have a single ground sign along the interior right-of-way or access easement with a maximum height of 8 feet and 60 square feet in sign area.
- DEVIATION 5: Relief from from LDC Section 5.05.05.D.2.a, “Facilities with Fuel Pumps” which requires facilities with fuel pumps to be subject to the following standards where located within 250 feet of residentially zoned or residentially developed properties:
- a. Facility with fuel pumps sites shall be separated from residential property by a thirty-foot wide landscape buffer and an architecturally designed masonry wall. The masonry wall shall be eight (8) feet in height, centered within the landscape buffer, and shall use materials similar in color, pattern, and

Words underlined are additions; words ~~struck through~~ are deletions

Baumgarten MPUD Exh E-rev2.docx

Page 1 of 3

May 28, 2020

EXHIBIT "B"

texture to those utilized for the principal structure. The masonry wall shall be located on top of a berm. The berm shall be constructed and maintained at a height of three (3) feet and a maximum slope of 3:1. The berm shall be planted with ground cover.

This deviation will instead not require this MPUD to provide a wall or berm to be constructed where the facility with fuel pumps is located within 250 feet of any residential building.

Deviation #6: Relief from LDC Section 5.05.05.D.2.b, "Facilities with Fuel Pumps", which requires facilities with fuel pumps to be subject to the following standards where located within 250 feet of residentially zoned or residentially developed properties:

b. Landscaping shall be required on both sides of the masonry wall. On the residential property wall side, a hedgerow consisting of #10 shrubs, spaced three (3) feet on center, and four (4) feet high at planting and five (5) feet high within one year shall be provided. In addition, a row of canopy trees spaced thirty (30) feet on center, and ten (10) feet in height at planting are required. On the facility with fuel pumps wall side, a row of canopy trees, spaced thirty (30) feet on center, and twelve (12) feet in height at planting are required. A hedgerow consisting of #10 shrubs, spaced three (3) feet on center, and four (4) feet high at planting and five (5) feet high within one year shall be provided. Required canopy trees shall be staggered to accommodate the canopy trees on the residential property wall side.

This deviation will instead allow this MPUD to provide a 10-foot wide type 'D' landscape buffer planted with 10-foot-high canopy trees planted 20 feet on center, and a hedge 3 feet in height at installation, which shall be permanently maintained at a minimum height of three feet along the eastern and southern lot boundaries. The deviation is applicable only in the location noted on the PUD Master Plan.

Deviation #7: Relief from LDC Section 5.05.05.B.1 "Facilities with Fuel Pumps", which establishes site design standards for facilities with fuel pumps by requiring any front yard setback to be a minimum of 50 feet, to instead allow a reduction in the required front yard setback to a minimum of 30 feet.

Deviation #8: Relief from LDC Section 5.06.04.F.3, "Directory Signs", which requires Multiple-occupancy parcels or multiple parcels developed under a unified development plan, with a minimum of eight independent units, and containing 20,000 square feet or more of leasable floor area to be permitted one directory sign at one entrance on each public street, to instead allow the directory sign to be

Words underlined are additions; words ~~struck through~~ are deletions

relocated so that the directory sign is permitted at the westernmost PUD entrance along Immokalee Road. This sign shall be permitted to include tenant names for "The Pointe" which is currently under review (SDP PL20190001486).

Deviation #9: Relief from LDC Section 5.06.02.B.14, "Boundary Marker sign", which allows residential developments to have one boundary marker sign or monument structure to be located at each property corner, to instead allow a mixed-use project to have one boundary marker sign at a single corner. The boundary marker sign shall include the logo and/or project name.

Deviation #10: Relief from LDC Section 5.06.02.B.14.a. and b., "Boundary Marker sign", which requires that the maximum height is 8 feet to the uppermost portion of the boundary marker structure, and the sign face area may not exceed 24 square feet in area and may not exceed the height or length of the monument or structure upon which it is located, to instead allow the boundary marker sign or sculpture located at the intersection of Immokalee Road and Collier Boulevard to be 10 feet in height with a maximum of 40 square feet in area.

Words underlined are additions; words ~~struck through~~ are deletions

Baumgarten MPUD Exh E-rev2.docx

May 28, 2020



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): PL20210000379, Baumgarten PDI

Regarding the above subject petition number(s), Christopher Scott, Peninsula Engineering (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: Christopher Scott

Date: 7/6/2021

Signature: _____



Applicant*



Legal Counsel to Applicant

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