



City of Naples

City Council Chambers
735 Eighth Street South
Naples, Florida 33940

-SUBJECT-	Ord. No.	Res. No.	Page
<u>ANNOUNCEMENTS</u>			
MAYOR BILLY LICK - announced a Special Meeting - 5:30 p.m. today - for public input on a Community Development Block Grant			1
- appointed Fire Chief Ijams Sergeant-at-Arms for today			1
- noted that he had asked City Attorney Rynders for a written opinion regarding the vacancy on Council			1&6
CITY MANAGER JONES - None			1
Employee Recognition Ceremony			1
<u>APPROVAL OF MINUTES</u> - Workshop Meeting, 06/18/85 Regular Meeting, 06/19/85			1&2
<u>PURCHASING</u>			
-Award bid for recreational lighting at 3 parks		85-4766	2
-Award bid for annual photographic supplies - P.D.		85-4767	2
-Waive bids - purchase one pickup truck thru state contract		85-4768	2
<u>RESOLUTIONS</u>			
-Approve accepting esmt & B/S - water mains - Windstar - Section One		85-4763	1&2
-Approve accepting B/S & esmt - water mains - Northgate Village		85-4764	2
-Approve accepting esmts & deed for expansion - Golden Gate wellfield		85-4765	2
-Approve Special Ex Pet 85-S14 to permit expansion of a transient- lodging facility (Stoney's Citrus Inn) CONTINUED to Aug. 7th		CONT.	4
-Approve development plan for NW corner of Neapolitan Way and U.S. 41 (Lutgert Shopping Center)		85-4770	5
-Approve Temporary Use of trailer - Port-O-Call Marina		85-4772	7
-Approve accepting \$3,000,000 grant from DER - W.W.T.P. Expansion		85-4773	8
-Approve accepting \$52,666 from Florida Recreation Development Assistance Program - Open air shelter - River Park Comm. Ctr.		85-4774	8
-Approve amending Res. 85-4730 to provide no thru traffic on 3rd Av No between 10th St No and Goodlette-Frank Road		85-4775	8
<u>ORDINANCES</u> - Second Reading			
-Approve Rezone Pet 85-R4 - Lot 16, North Naples Estates to "PD for Highway Commercial" - (Lutgert Shopping Center)	85-4769		3
-CONTINUED- Adopt Comprehensive Plan Amendment 85-CP2 - change land use to permit expansion of an existing commercial use (Stoney's Citrus Inn)	85-_____		4
-CONTINUED- Adopt Rezone Pet 85-R6 to "PD" to permit expansion of an existing transient lodging facility (Stoney's Citrus Inn)	85-_____		4
-Approve annexation of Lots 17 & 18, North Naples Estates	85-4771		7
- First Reading			
-Approve amendments to Appendix "A" - Zoning	85-_____		5
-Approve Amendment to a Previously-Approved Development Plan 85-R7 to change plans for a proposed marina facility west of the airport, east of Gordon River and south of Avion Park	FAILED		6&7

City Council Chambers
735 Eighth Street South
Naples, Florida 33940



Time 9:05 a.m.

Date July 17, 1985

Mayor Billick called the meeting to order and presided as Chairman.

ROLL CALL:	Present: Stanley R. Billick Mayor	ITEM 2	VOTE			
			M O T I O N	S E C O N D	Y E S	A B S E N T
	R. B. Anderson William E. Barnett William F. Bledsoe Lyle S. Richardson Wade H. Schroeder Councilmen					
Also present:	Franklin C. Jones, City Manager David W. Rynders, City Attorney Roger Barry, Community Development Director Paul Reble, Police Chief John McCord, City Engineer Steve Cramer, Chief Planner Chris Holley, Community Services Director	Stewart Unangst, Purchasing Agent Ellen P. Weigand, Deputy Clerk Norris Ijams, Fire Chief George Vukobratovich, Recreation & Enterprises Superintendent				
	See Supplemental Attendance list - Attachment #1					
<u>INVOCATION:</u>	Pastor H. Peter Lyberg Shepherd of the Glades Lutheran Church	<u>ITEM 1</u>				
***	***	***				
<u>ANNOUNCEMENTS</u>		<u>ITEM 3</u>				
	Mayor Billick - announced a Special Meeting to be held at 5:30 p.m. today for public input on a Community Development Block Grant.	<u>ITEM 3-a</u>				
	- appointed Fire Chief Ijams Sergeant-at-Arms for today's meeting.					
	- between Agenda Items 10-c and 10-d Mayor Billick noted that he had asked City Attorney Rynders for a written opinion concerning Council's options regarding the vacancy created on the Council by the passing of Councilman Wood and the matter would be addressed after the City Attorney's opinion is received.					
<u>City Manager Jones</u>	- None	<u>ITEM 3-b</u>				
***	***	***				
<u>EMPLOYEE RECOGNITION CEREMONY</u>		<u>ITEM 4</u>				
	Mayor Billick and City Manager Jones presented awards to the City employees present as noted by asterisks on Attachment #2.					
***	***	***				
	Mayor Billick noted that counsel for the petitioner on Agenda Item 10-b had asked that the issue be postponed to the next meeting, August 7, 1985. He stated that those present to speak to this item would be heard today.					
***	***	***				
	-----CONSENT AGENDA-----					
<u>APPROVAL OF MINUTES</u>	- Workshop Meeting, 06/18/85 Regular Meeting, 06/19/85	<u>ITEM 5</u>				
***	***	***				
<u>RESOLUTION 85-4763</u>		<u>ITEM 6</u>				
	A RESOLUTION ACCEPTING AN EASEMENT AND BILL OF SALE RELATING TO THE WATER MAINS FOR WINDSTAR SECTION ONE; AND PROVIDING AND EFFECTIVE DATE.					
Title not read.						
***	***	***				

COUNCIL MEMBERS

MOTION
SECTION
YES
NO
ABSENT

CONSENT AGENDA (Cont)

---RESOLUTION 85-4764

ITEM 7

A RESOLUTION ACCEPTING A BILL OF SALE AND UTILITY EASEMENT RELATING TO THE WATER MAINS FOR NORTHGATE VILLAGE; AND PROVIDING AN EFFECTIVE DATE.

Title not read.

---RESOLUTION 85-4765

ITEM 8

A RESOLUTION ACCEPTING GOLDEN GATE WELLFIELD AND PIPELINE UTILITY EASEMENTS AND PROPERTY IN CONJUNCTION WITH EXPANSION OF THE CITY'S RAW WATER SUPPLY; AND PROVIDING AN EFFECTIVE DATE.

Title not read.

PURCHASING

ITEM 9

---RESOLUTION 85-4766

ITEM 9-a

A RESOLUTION AWARDING THE BID FOR RECREATIONAL LIGHTING AT THREE (3) CITY PARKS; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Title not read.

---RESOLUTION 85-4767

ITEM 9-b

A RESOLUTION AWARDING THE BID TO SUPPLY THE CITY POLICE DEPARTMENT'S ANNUAL REQUIREMENTS FOR PHOTOGRAPHIC SUPPLIES; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Title not read.

---RESOLUTION 85-4768

ITEM 9-c

A RESOLUTION AUTHORIZING THE PURCHASE ONE (1) ECONOMY PICK-UP TRUCK FROM FLORIDA STATE CONTRACT; WAIVING THE REQUIREMENTS FOR COMPETITIVE BIDS THEREON; AND PROVIDING AN EFFECTIVE DATE.

Title not read.

Mr. Anderson confirmed with City Manager Jones that the Maitland Ford dealer receiving the bid award for the pick-up truck was the only one noted under the state contract and that the price was f.o.b. Naples.

MOTION: To APPROVE the minutes and ADOPT the resolutions as presented.

-----END CONSENT AGENDA-----

Anderson
Barnett
Bledsoe
Richardson
Schroeder
Billick

X

X

CONSENSUS

COUNCIL MEMBERS

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COMMUNITY DEVELOPMENT DEPARTMENT/NAPLES PLANNING ADVISORY BOARD

ITEM 10

ORDINANCE 85-4769

ITEM 10-a-1

AN ORDINANCE REZONING LOT 16 NORTH NAPLES ESTATES FROM "R1-15" SINGLE-FAMILY RESIDENTIAL TO "HC" HIGHWAY COMMERCIAL; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO REZONE SAID PROPERTY AT THE REQUEST OF THE PROPERTY OWNER.

Title read by City Attorney Rynders.

Public Hearing: Opened - 9:21 a.m. Closed - 9:45 a.m.

Bill Vines, representing the petitioner, stated that his client was satisfied with the recommended rezone to "HC" Highway Commercial rather than the "PD" Planned Development they had requested because the "HC" Highway Commercial would accommodate the proposed development just as well. He further noted that the development plan had been refined and adjusted with input from the neighboring Park West Condominium. In response to questions from Mr. Anderson about the masonry wall, Mr. Vines stated that they had agreed to move it closer to their building and the Park West Condominium had agreed to maintain the landscaping on their side of the wall. He further noted his client's agreement to financially participate with the City to have a right turn lane or striping to indicate a right turn from Neapolitan as it enters U.S. 41. In answer to Mayor Billick's question, Mr. Vines noted that provisions had been made for trucks to make a left turn after unloading to go back onto U.S. 41. He did, however, note his client's objection to a \$20,000 deposit for a possible cul de sac on Neapolitan and did not agree with the need for any cul de sac. Mayor Billick said he could understand their unwillingness to put up a deposit for something they did not agree was necessary. Mr. Schroeder stated that he was under the impression the Council had decided against any cul de sac on Neapolitan several years ago. Laurie DeCourcy, representing the Park West Condominium, concurred that they were in agreement with the adjustments made in the development plan and recommended positive action by Council. Citizen J. Sandy Scatena spoke in opposition to the rezone (Attachment #3) and placed several exhibits into the record (Attachment #4). City Attorney Rynders noted that the motion had to amend the ordinance to "PD Planned Development for Highway Commercial". He noted that ordinance in the packet went along with the Planning Advisory Board's recommendation because they did not have a plan they were ready to approve.

MOTION: To ADOPT the amended ordinance reflecting rezoning to "PD for Highway Commercial" as presented on Second Reading.

Anderson	X	X	
Barnett		X	
Bledsoe		X	
Richardson		X	
Schroeder	X	X	
Billick		X	
(6-0)			

City Attorney Rynders noted that the resolution approving the development plan that had been submitted and discussed was being typed and would be ready for Council's action shortly. Mayor Billick stated that they would return to this item.

COUNCIL MEMBERS

MOTION S E C O N D Y E N O T A B S E N T

COMMUNITY DEVELOPMENT DEPARTMENT/NAPLES ADVISORY BOARD (Cont)

ITEM 10 (Cont)

RETURN TO AGENDA ITEM 10-a

---RESOLUTION 85-4770

ITEM 10-a-2

A RESOLUTION APPROVING THE DEVELOPMENT PLAN FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF NEAPOLITAN WAY AND U.S. 41, SUBJECT TO THE CONDITIONS SET FORTH HEREIN; AND PROVIDING AND EFFECTIVE DATE.

Title read by City Attorney Rynders.

Community Development Director Barry noted that the resolution referred to the development plan and the landscape plan that were on display. He noted that the two areas of disagreement involved the right turn lane and the \$20,000 deposit for a cul-de-sac. He further noted the movement of the masonry wall as discussed earlier. Mayor Billick suggested eliminating the requirement of the \$20,000 deposit for the disputed cul-de-sac. At the request of Mr. Anderson, John W. Barr of Barr, Dunlop & Associates, explained his feeling that some provision should be made for right turns from Neapolitan, but his firm could not justify the cost to the City with the traffic that now exists. Mayor Billick noted the petitioner's representatives had indicated their intention to cooperate with the City in the construction of such a lane.

MOTION: To ADOPT the resolution, eliminating the requirement of a \$20,000 deposit for a cul-de-sac and including an agreement by the petitioner to participate in the cost of the right turn lane on Neapolitan at U.S. 41 and requiring signage for trucks to turn left onto Neapolitan when exiting the development area.

Anderson Barnett Bledsoe Richardson Schroeder Billick (6-0) X X X X X X

*** *** ***

---ORDINANCE 85-

ITEM 10-c

AN ORDINANCE RELATING TO ZONING, AMENDING SECTION 5.1 "R1-E" RESIDENCE DISTRICT, SECTION 5.2 "R1-15" RESIDENCE DISTRICT, SECTION 5.3 "R1-10" RESIDENCE DISTRICT, SECTION 5.4 "R1-7.5" RESIDENCE DISTRICT, SECTION 6, SUPPLEMENTARY DISTRICT REGULATIONS; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO CLARIFY THE POINT THAT FOR A GARAGE OR CARPORT TO HAVE A 15 FOOT REAR SETBACK ADJACENT TO AN ALLEY IN ALL SINGLE-FAMILY ZONE DISTRICTS THERE MUST BE DIRECT VEHICULAR ACCESS FROM THAT ALLEY; TO SEPARATE THE PROVISION REQUIRING A MINIMUM DISTANCE BETWEEN PRINCIPAL BUILDINGS FROM THE YARD ENCROACHMENT PROVISION; TO ADD A PARKING REQUIREMENT WHICH WAS INADVERTANTLY OMITTED IN THE ADOPTION OF A PREVIOUS ORDINANCE; TO AMEND THE VEHICLE ENCROACHMENT INTO REQUIRED LANDSCAPE AREAS TO CORRESPOND TO THE REDUCED LENGTH OF REQUIRED PARKING SPACES; TO CLARIFY CERTAIN PROVISIONS OF SECTION 6.

Title read by City Attorney Rynders.

Mr. Schroeder stated his opinion that reference should be included as to how a determination of the front yard would be made on corner property with equal frontage. Mayor Billick suggested that the matter be considered and a recommendation made at the Second Reading.

Anderson Barnett Bledsoe Richardson Schroeder Billick (6-0) X X X X X X

MOTION: To APPROVE the ordinance as presented on First Reading.

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Mayor Billick noted the vacancy on the Council due to the death of Councilman Wood and said he had asked City Attorney Rynders for a written opinion concerning the options Council had regarding this vacancy. He added that Council would consider the matter upon receipt of the written opinion.

COMMUNITY DEVELOPMENT DEPARTMENT/NAPLES
ADVISORY BOARD (Cont)

ITEM 10
(Cont)

---ORDINANCE 85---

ITEM 10-d

AN ORDINANCE APPROVING AN AMENDMENT TO A PREVIOUSLY APPROVED DEVELOPMENT PLAN FOR PROPERTY LOCATED WEST OF THE AIRPORT, EAST OF GORDON DRIVE, AND SOUTH OF THE AVION PARK SUBDIVISION; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO APPROVE PROPOSED CHANGES TO A PREVIOUSLY APPROVED DEVELOPMENT PLAN FOR A PROPOSED MARINA FACILITY THAT WOULD INCLUDE A "CLUB" AND COMMERCIAL SALES/SERVICE BUILDING, CERTAIN RECREATION FACILITIES AND BOAT STORAGE AND LAUNCHING FACILITIES.

Title read by City Attorney Rynders.

Peter Takos, co-developer of the marina in question, addressed Council at great length in support of the new development plan. He cited a market analysis made for this project by the Brandy Group, a family of marine management and consultant companies from Boca Raton. He pointed out that the report stated that the original development was neither economically viable nor feasible, especially noting that the storage facilities were not close enough to the launch facilities and the traffic pattern was not conducive to smooth operations. He noted that the Brandy report stated that the recreational facilities were not compatible with the storage facilities in the way the space had been utilized. He then reviewed the new development plan which eliminated pedestrian and vehicular traffic from the area where the boats are to be forklifted out of the storage buildings and taken to the launch area. He noted that this proposed plan included a swimming pool, whirlpool, chickee hut with sauna, picnic area, tot lot, and jogging course. He added that the tennis and handball courts had been eliminated because it was a marine orientated facility. He noted letters of support from Shamrock Marina, Port-O-Call Marina, Maropa Marina, Nichols Marine, Turner Marine and Bay Marina. Mr. Takos noted that the estimated ad valorem tax from the project would be \$45,667.20 as opposed to \$10,815.45 taxes collected last year from Avion Park. He noted the developers intent to improve a one mile length of North Road to the point where the Post Office and the Naples Daily News have agreed to make deliveries. He noted the 8" water line that they plan to install. He asked that the condition requiring another Planning Advisory Board (PAB) and Council review and approval for the second storage building be deleted. In response to a question from Mr. Anderson about this condition, City Manager Jones noted his opinion that the PAB recommendation on this point was reasonable because the impact of the development with the one storage building and other facilities could be studied before granting permission for a second storage building. W. W. Gilman, another co-developer of the project, also asked for permission for the second building at this time without another review process. He noted the amount of money that had been borrowed for this project based on a letter from the head of the Planning Department indicating approval of the project. Mr. Takos noted the economic feasibility of this project would be greatly enhanced by tying it to the club they propose on the OMC

COUNCIL MEMBERS

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COMMUNITY DEVELOPMENT DEPARTMENT/NAPLES
ADVISORY BOARD (Cont)

ITEM 10
(Cont)

---ORDINANCE 85- (Cont)

ITEM 10-d
(Cont)

property on Naples Bay. Avion Park resident Thomas Bryant made an indepth statement (Attachment #7) in opposition to many points in the new concept. He noted the stark appearance of the large building, the lack of maintenance in other boat storage facilities, and the traffic generated. Other local residents Ken Barton, James deSears and M. W. Love also spoke in opposition to the commercial aspects of the boat storage facility. Sara Bryant, Avion Park resident, made a lengthy statement (Attachment #8) questioning the similarity of the proposed plan to the original concept. Citizen Harry Rothchild questioned the changes made from the original plan. Avion Park resident Lynn Snow briefly stated that he had no problem with the present concept. Mr. Schroeder noted that if this ordinance failed, the plans approved in 1983 would stand. At Mr. Barnett's suggestion, Mr. Richardson, maker of the motion, amended his motion to correct "Gordon Drive" to "Gordon River", agreed to by Mr. Anderson, seconder.

Anderson
Barnett
Bledsoe
Richardson
Schroeder
Billick
(3-3)
FAILED

X	X		
			X
			X
X		X	
			X
		X	

MOTION: To APPROVE the ordinance as amended on First Reading.

-----END COMMUNITY DEVELOPMENT/P.A.B.-----

-----ADVERTISED PUBLIC HEARING-----

---ORDINANCE 85-4771

ITEM 11

AN ORDINANCE AMENDING SECTION 1.2 OF THE CHARTER OF THE CITY OF NAPLES, RELATING TO THE BOUNDARIES OF THE CITY; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO ANNEX LOTS 17 AND 18, NORTH NAPLES ESTATES, TO THE CITY OF NAPLES AT THE REQUEST OF THE PROPERTY OWNERS AND TO REDEFINE THE BOUNDARIES OF THE CITY OF NAPLES TO INCLUDE SAID PROPERTY.

Title read by City Attorney Rynders.

Public Hearing: Opened - 11:25 a.m. Closed - 11:26 a.m.

Laurie DeCourcy, representing the Park West Condominium, noted she was present to answer any questions.

MOTION: To ADOPT the ordinance as presented on Second Reading.

-----END ADVERTISED PUBLIC HEARINGS-----

---RESOLUTION 85-4772

ITEM 12

A RESOLUTION AUTHORIZING THE PORT-O-CALL MARINA TO USE A TEMPORARY OFFICE TRAILER AT 1312 FIFTH AVENUE SOUTH AS AN OFFICE BUILDING FOR A PERIOD OF SIX (6) MONTHS; RATIFYING THE ACTION OF THE MAYOR WITH REGARD THERETO; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

MOTION: To ADOPT the resolution as presented.

Anderson
Barnett
Bledsoe
Richardson
Schroeder
Billick
(6-0)

X			X
	X		X
			X
X		X	
			X
		X	

COUNCIL MEMBERS

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---RESOLUTION 85-4773

ITEM 13-a

A RESOLUTION ACCEPTING A GRANT OFFER FROM THE STATE DEPARTMENT OF ENVIRONMENTAL REGULATION UNDER THE PROVISIONS OF THE SMALL COMMUNITY SEWER CONSTRUCTION ASSISTANCE ACT IN CONJUNCTION WITH THE EXPANSION OF THE WASTEWATER TREATMENT PLANT FACILITY; AUTHORIZING THE MAYOR TO EXECUTE THE GRANT AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

MOTION: To ADOPT the resolution as presented.

Anderson
Barnett
Bledsoe
Richardson
Schroeder
Billick
(6-0)

X

X
X
X
X

---RESOLUTION 85-4774

ITEM 13-b

A RESOLUTION AUTHORIZING THE CITY MANAGER TO NOTIFY THE DEPARTMENT OF NATURAL RESOURCES OF ITS ACCEPTANCE OF THE FLORIDA RECREATION DEVELOPMENT ASSISTANCE PROGRAM FUNDS TO CONSTRUCT A RECREATION OPEN AIR SHELTER AT THE RIVER PARK COMMUNITY CENTER; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

MOTION: To ADOPT the resolution as presented.

Anderson
Barnett
Bledsoe
Richardson
Schroeder
Billick
(6-0)

X
X
X
X
X

---RESOLUTION 85-4775

ITEM 14

A RESOLUTION AMENDING RESOLUTION 85-4730 TO PROVIDE THAT NO THROUGH TRAFFIC WILL BE PERMITTED ON THIRD AVENUE NORTH BETWEEN TENTH STREET NORTH AND GOODLETTE-FRANK ROAD WHEN THIS STREET IS EXTENDED INTO THE AREA IDENTIFIED IN THE COMPREHENSIVE PLAN AS THE NAPLES INDUSTRIAL AREA; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

Mr. Anderson suggested amending the resolution to read "not at this time". Mr. Schroeder noted that the resolution could be rescinded if, at a later date, it was determined necessary to have through traffic on Third Avenue North.

MOTION: To ADOPT the resolution as presented.

Anderson
Barnett
Bledsoe
Richardson
Schroeder
Billick
(6-0)

X
X

X
X
X

CORRESPONDENCE & COMMUNICATIONS - None

ADJOURN: 12:31 p.m.

Janet Cason
Janet Cason
City Clerk

Ellen P. Weigand
Ellen P. Weigand
Deputy City Clerk

Stanley R. Billick
Stanley R. Billick, Mayor

These minutes of the Naples City Council approved Aug. 7, 1985

Supplemental Attendance List - July 17, 1985 Regular Meeting

Pastor H. Peter Lyberg	Jack Timelli	W. W. Gilman
Mr. & Mrs. Fred Lindsay	Marie Bain	Bruce Green
Bill Curry	Alice Wickham	Peter Takos
Walter Keller	M. W. Love	Gilbert Weil
Dick Baker	Bill Vines	Charles Dauray
Robert Tanner	Laurie DeCourcy	Jim McGrath
Herb Anderson	Harry Rothchild	Rev. Walter Lauster
Mr. & Mrs. Henry Bonta	Tish Gray	Ken Barton
Sylvia Ganziano	Chuck Mohlke	Lynn Snow
John W. Barr	Mr. & Mrs. Thomas Bryant	James DeSear
George Vega	Robert Russell	J. Sandy Scatena

See Attachment #2 for employees present for Employee Recognition Ceremony

News Media

Ed Solberg, TV-9	Todd Holzman, Miami Herald	Chuck Curry, Naples Daily News
Phil Tronolone, TV-9	Denes Husty, News Press	Margaret Minarich, Naples Star
Jerry Pugh, TV-9	Bob Goldberger, WBBH TV-20	Mary Armbruster, WEVU TV-26
	Scott Beyerl, WBBH TV-20	

Other interested citizens and visitors.

E M P L O Y E E R E C O G N I T I O N P R O G R A M

January 1, 1985 through June 30, 1985

-----FIVE YEARS-----

<u>Name</u>	<u>Department</u>	<u>Entry Date</u>	<u>Current Classification</u>
* Timothy Witherite	Fire	01/28/80	Firefighter
Lindell McFadden	Utilities	02/04/80	Service Worker III
* Joan N. Resnick	Fire	02/11/80	Clerk-Typist
Bob Lamar Conley	Police	03/03/80	Police Officer
* Edward L. Chestnut	Police	03/10/80	Parking Checker
Michael J. Dudash	Utilities	03/17/80	Utility Plant Maintenance Tech.
* Lillian S. Kelly	Utilities	03/17/80	Wastewater Plant Operator III
Regela E. Weeks	Police	04/07/80	Police Officer
an S. Cress	Fire	05/12/80	Firefighter/EMT
Richard Denson	Community Services	05/19/80	Service Worker II
* Paul C. Reble, Jr.	Police	05/27/80	Police Chief
* Deborah K. Johnson	Community Services	06/09/80	Secretary II
* Frank A. Davis	Fire	06/16/80	Fire Lieutenant

-----TEN YEARS-----

<u>Name</u>	<u>Department</u>	<u>Entry Date</u>	<u>Current Classification</u>
* Terry L. Fedelem	Community Services	01/02/75	Parks & Parkways Superintendent
Paul Whittaker	Police	01/13/75	Police Officer
nis H. Gant	Engineering	01/23/75	Street Construction Supervisor

-----TEN YEARS (cont.)-----

<u>Name</u>	<u>Department</u>	<u>Entry Date</u>	<u>Current Classification</u>
Jacqueline S. Muench	Community Services	02/13/75	Recreation Aide I
Kenneth G. Lewis	Police	02/17/75	Police Sergeant
Mara A. Norman	City Manager's Office	02/18/75	Administrative Asst. to the City Manager
David V. Smith	Fire	06/02/75	Firefighter (Driver/ Engineer)
Wayne J. Martin	Fire	06/09/75	Fire Marshal
Richard D. DeMers	Community Development	06/30/75	Electrical Inspector

-----FIFTEEN YEARS-----

<u>Name</u>	<u>Department</u>	<u>Entry Date</u>	<u>Current Classification</u>
Arlene Guckenberger	Community Development	01/12/70	Permit Clerk
Timothy Hendrixson	Community Development	01/28/70	Building Inspector
Norvell Johnson	Utilities	02/10/70	Crew Leader III
William D. Roland	Engineering	02/24/70	Crew Leader III
Henry Black	Solid Waste	03/24/70	Equipment Operator V
Jack O. Perry	Solid Waste	03/26/70	Equipment Operator V
Jerry G. Diddle	Utilities	04/27/70	Utility Plant Maintenance Tech.
Kenneth Ferrell	Police	05/04/70	Police Sergeant
Edward McCarter	Solid Waste	05/04/70	Crew Leader III
Frank Williams	Utilities	05/12/70	Utilities Supervisor

-----TWENTY YEARS-----

<u>Name</u>	<u>Department</u>	<u>Entry Date</u>	<u>Current Classification</u>
M. H. Griffin	Solid Waste	01/20/65	Commercial Refuse Operations Supv.
Henry Crawford, Jr.	Community Services	02/04/65	Crew Leader I (custodial)
* William Shoemaker	Utilities	03/31/65	Crew Leader III
Barrie L. Kee	Police	05/30/65	Police Lieutenant
* Chester B. Keene	Police	06/04/65	Police Sergeant

-----TWENTY-FIVE YEARS-----

<u>Name</u>	<u>Department</u>	<u>Entry Date</u>	<u>Current Classification</u>
James Davidson	Police	01/04/60	Police Sergeant

City Council Meeting - July 17, 1985

Good Morning, Mr. Mayor and City Councilmen:

For the Record: My name is J. Sandy Seaton and I reside at 2990 Binacle Drive.

As a concerned citizen, I appear before you today at this Public Hearing to discuss Agenda Item 10-A and ask you not to Approve the request to re-zone this property from "R1-15" Single-Family Residential" to "H.C. Highway Commercial." And to Deny a proposed development plan for said property.

At this time, I will place into the Record the following Exhibits marked No. 1 through No. 10 which I will comment on.

Minutes

Date June 6, 1985

ATTACHMENT #4 - page 1

RE ZONING PETITION 85-R4

Item 3

Edmond L. Lutgert and Scott F. Lutgert

West Side of U.S. 41, approximately 300 feet north of Neapolitan Way.

Request to rezone the subject property from R1-15, Single-Family Residential, to "PD", Planned Development, designated for uses within the Highway commercial Zoning district, in order to approve a development plan which proposes two one-story commercial buildings, with a combined floor area of approximately 85,000 square feet, for the subject property and the property abutting it to the south and southwest.

Public hearing opened: 9:05, closed: 10:05.

Barry read the petition which had been postponed from PAB meeting of May 2, 1985.

William Vines representing the petitioner stated he was available to answer any questions from the Board or provide any needed information. He stated that the development would have convenient commercial uses which would serve the northerly portions of Park Shore. The development will occur on two parcels. The southerly parcel which lies in the northwest quadrant of U.S. 41 and Neapolitan Way was a part of the original Park Shore Planned Development and has been designated for commercial development of the type now planned from the very beginning. A couple of years ago Park Shore Developers, at the request of the city, agreed to convert a portion of the parcel nearest West Boulevard to single-family zoning which was done. The second parcel was not a part of the original Park Shore Plan and was not owned by the Park Shore Developers at the time the Park Shore plan was prepared in the '60's. A little over a

Minutes

Date June 6, 1985

(Item 3 continued)

ear ago it was purchased by Ray and
ott Lutjert who petitioned the city
to annex it for the purpose of
commercial development as an integral
part of the long planned Park Shore
development in that area. The city
incurred in the annexation request and
was done. The subject commercially
zoned lands have been vacant to date
awaiting residential growth which would
justify their development. In the
judgement of the Park Shore Developers,
commercial development is timely. The
Publix Corporation and Walgreens Drugs
concur with this timing.

Mr. Vines addressed the City Engineer's request for a right turn lane at the corner of Neapolitan Way and U.S. 41 and stated that project traffic engineer, Jack Barr, does not feel it is needed and would not improve traffic flow through the intersection.

Some two years ago when commercial development plans on the south side of Neapolitan way were being reviewed and approved by the City, the City Engineer initiated the discussion of a prospective cul-de-sac of Neapolitan way at West Avenue and requested a \$20,000 deposit from Park Shore developers in the event that such a cul-de-sac was ever constructed, some portion of the cost was assigned to Park Shore. They pointed out that Neapolitan Way was planned and approved as a collector street and that interrupting it with a cul-de-sac would screw up the entire north-end of Park Shore traffic pattern. The planning commission argued against it, Jack Barr argued against it, the planning advisory board said no, and the council said no. Now the traffic Engineers are raising the same issue and again requested a \$20,000 deposit for the prospective future construction of an unplanned, unscheduled and unjustified interruption of a collector street. This cul-de-sac is unwarranted from a planning standpoint.



City of Naples

AGENDA NAPLES PLANNING ADVISORY BOARD

WEDNESDAY, JULY 10, 1985, AT 9:00 A.M.
CITY HALL COUNCIL CHAMBERS
735 EIGHTH STREET, SOUTH

1. ROLL CALL
2. APPROVAL OF MINUTES OF JUNE 6, 1985 PAB MEETING
3. PUBLIC HEARING - AN AMENDMENT TO A PREVIOUSLY-
APPROVED DEVELOPMENT PLAN -
PETITION 85-R7

REQUEST TO REVISE A DEVELOPMENT PLAN
(APPROVED BY CITY COUNCIL IN DECEMBER
1983) FOR A PROPOSED MARINA FACILITY
IN THE 'PD' PLANNED DEVELOPMENT ZONE
DISTRICT. THE PROPOSED MODIFICATIONS
TO THE APPROVED PLAN INCLUDE;

- A REDUCTION IN THE NUMBER OF BOAT
STORAGE BUILDINGS FROM THREE TO TWO;
- AN INCREASE IN THE TOTAL FLOOR AREA
OF THE BOAT STORAGE BUILDINGS FROM
77,000 TO 120,000 SQUARE FEET;
- AN INCREASE IN THE MAXIMUM CAPACITY
OF THE PROPOSED BOAT STORAGE BUILDINGS
FROM 600 TO 1,000 BOATS;
- A RESTAURANT/LOUNGE IS NO LONGER
INCLUDED IN THE DEVELOPMENT
PLAN;
- AN INCREASE IN THE SALES/SERVICE BUILDING
FROM 3,000 TO 6,000 SQUARE FEET OF FLOOR
AREA.

Naples group fights plan for Publix

By TODD HOLZMAN
Herald Staff Writer

Easy access to shopping is usually considered a plus, but a group of Naples residents balked Thursday at a proposal to put a supermarket in their backyard.

Developers Raymond and Scott Lutgert, who are negotiating with the Publix supermarket chain, asked the Naples Planning Advisory Board to approve a planned development that would allow the construction of an 85,000 square-foot shopping center adjacent to the Park West Villas.

The Lutgert family has been prominent in the development of Naples, and has won numerous concessions from the city in the past.

In fact, part of the property in question was annexed by the city early in 1984, primarily at the Lutgerts' request.

The parcel was previously part of unincorporated Collier County. The annexation was made to consolidate the land under one governmental entity in order to reduce red tape associated with development.

Yet after the first round of the public vs. Publix, the public is ahead.

Influenced by the objections of the condominium's residents, the planning board refused to accept the family's proposal.

The board recommended that a portion of the property now zoned for residential use should be given commercial status, but asked that the Lutgerts rework the site development plan criticized by the condo dwellers.

Thursday's actions will be forwarded to Naples City Council, which is expected to consider the project later this month.

Park West dweller Laurie DeCourcy spoke on behalf of a large group of residents who attended the meeting.

"People are saying, 'The Lutgerts have done a good job — why do they want to mess it up now?'"

DeCourcy said. "This venture is out of line with what has been the genteel growth of the area."

DeCourcy suggested that the supermarket be located on a parcel the Lutgerts own south of Neapolitan Way, or that the Publix store be moved to the eastern end of the property in question.

She found support from board members.

"Let the developer figure out a different site plan," Earle V. Johnson said. "I believe the public is entitled to some consideration here."

Richard Baker, general manager for the Lutgert Companies, said Publix was unlikely to accept any other site plan.

"I believe this is the only location Publix will agree to," he said.

He expressed surprise at the board's action, but said the project would not be abandoned.

"The Lutgerts have held this property for many years, waiting for what they feel is the right time for development," he said. "We feel this is the right way to do it."

DeCourcy wondered aloud why Publix was interested in building a new store at the location. The chain operates one market less than three miles to the south, and another just four miles to the north.

"We're saturated with supermarkets already," she said.

Phillip Ben-David, who leases a condominium at Park West, took time from his schedule as vice president of Provincetown-Boston Airline to air his opinion for the board.

He reacted to engineering consultant John Barr's comment that the roads in the neighborhood could comfortably handle the additional load the center would create.

"If we increase traffic on [Neapolitan Way] by 3,000 cars a day, I might never get to work," he said.

Notes * Total of 29 [unclear] of
 Signed Petitions with over
 500 Signatures. (1)

PETITION

15 April 1985

To: City of Naples Advisory Board

Re: Site development plan of Block 30, Park Shore, Unit 4 and Lot 16, North Naples Estates.

The undersigned hereby voice their opposition to the above described site development plan as submitted to the Naples City Planning Department on April 11, 1985 by Park Shore Development Company for the project entitled "Neapolitan Way". Site location: northwest corner of U.S. 41 and Neapolitan Way.

- Mr. Robert F. Tetzl
- Greg Z. Quinn
- Gene J. Depewie
- Frank N. J. J. J. J.
- Martye A. Schuler
- Judy M. C. C. C.
- James W. W. W.
- J. R. J. J. J.
- E. H. T. T. T.
- Russell B. G. G. G.
- C. S. S. S. S.
- L. M. M. M. M.
- M. A. A. A. A.
- Richard A. A. A. A.

- 740 Wilburland Blvd.
- 718 One Trail Dr.
- 718 Old Trail Dr.
- 314 Neapolitan Way
- 305 Neapolitan Way
- 312 Neapolitan Way
- 312 Neapolitan Way
- 517 Devils Lane
- 577 Devils Lane
- 526 Neapolitan Lane
- 516 Neapolitan Lane
- 514 Neapolitan Lane
- 4377 Neapolitan

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- | Name | Address |
|------------------------------|--------------------|
| Robert J. Wedder | 590 Neapolitan Way |
| Kary Moore | 560 N. ... |
| David ... | 539 Neapolitan Way |
| Ray R. Furrin | 549 Neapolitan Way |
| Georgia Furrin | 519 Neapolitan Way |
| Edith Canavale | 539 Neapolitan Way |
| Will Canavale | 539 Neapolitan Way |
| Joseph ... | 519 Neapolitan Way |
| John J. ... | 509 Neapolitan Way |
| Delene ... | 503 Neapolitan Way |
| Mr. & Mrs. L. Maher | 570 " |
| Richard H. + Sarah Eggleston | 2875 Guest |

ATTACHMENT #4 - page 5



City of Naples

MEMO

TO: Honorable Mayor and Members of the City Council

FROM: Franklin C. Jones, City Manager

SUBJECT: Rezone Petition 85-R4; Proposed Shopping Center by Scott F. Lutgert

DATE: June 10, 1985 ✓

Background:

The petitioner has proposed a shopping center for vacant property at the Northwest corner of Neopolitan Way and Rt. 41.

The Northeast corner of the subject property was recently annexed to the City. Any property annexed to the City is automatically zoned "R1-15," a single-family residential designation.

The balance of the property is zoned "PD" and designated for "HC," Highway Commercial uses.

A development plan must be approved by the City for any development in an "HC" or "PD" (designated for "HC" uses) zone district.

✓ The petitioner has requested a change of zone for that portion of the site which is zoned "R1-15" and has submitted a proposed development plan for the entire site.

PAB Recommendation:

The PAB held a public hearing on the rezone petition and reviewed the proposed development plan at their meeting on June 6, 1985.

Technically, the review and approval of a development plan does not require a public hearing, but in this case it is not practical to separate the two processes.

✓ The PAB recommended approval of the rezone petition and recommended denial of the development plan

City Council Action:

Rezone Petition: The City Council will introduce an ordinance, at first reading, to either change a portion of the subject property to "PD" (as requested by the petitioner), or "HC" (as recommended by the PAB) at their meeting on June 19, 1985. A public hearing and second reading of the ordinance should be scheduled for the July 17, 1985 meeting.

Development Plan: If the submitted development plan (or some modification of it) is to be approved by Council, then such action should be taken after the public hearing and second reading of the ordinance for the change of zone. The recommended conditions of approval in the staff report should be considered at that time.

Respectfully submitted,
Franklin C. Jones
Franklin C. Jones
City Manager

Prepared by:
Roger J. Garry
Roger J. Garry
Community Development Director -19-

NAPLES DAILY NEWS Mon., June 17, 1985

Letters

There Already Are Enough Drugstores in Area

Editor, Naples Daily News:

Re: Proposed Lutgert commercial development on Neapolitan Way in Park Shore.

The Planning Advisory Board is to be commended for its decision to deny the site plan as submitted — for all of the valid objections raised by concerned residents of the immediate vicinity. To these I would like to add an area as yet untouched: As a registered pharmacist for 30 years and a former independent store owner for 20 of these years, I ask, do we need another drugstore?

From Marco Island to North Naples we now have some 30 drugstores, 15 of which are large chains, with two more currently under construction and several additional proposed. Assuming area population figures of some 100,000 people to be correct, this means we have one drugstore for every 3,300 persons. Generally, chain store surveys recommend one chain store per 15-20,000 population. This is certainly not the case in Naples, nor an encouraging prospect for the survival of existing independent drugstores (some of which, having served the health and welfare of this community for many years, are currently experiencing financial hardships due to existing competition), to say nothing of the economic viability of yet another chain.

According to "Drugstore News" and "National Association of Chain Drugstores," average prescriptions per person per year filled are 4.3. Based on 3,300 persons per store, this means 39 prescriptions filled per day per store. The average chain nationally fills 120 prescriptions per day.

Why add "insult to injury" by establishing more of what we already have too much of?

Joseph A. Carnevale
Naples

Mall Will Sully Beauty Of Park Shore Area

Editor, Naples Daily News:

"A thing of beauty is a joy forever."

Mr. Keats has given me much joy throughout my lifetime. When I retired I sought a place of beauty. I found that beauty in Naples. I have told all my friends that I've found the perfect climate, the loveliest city, and beaches that rival the world's greatest. I'm now distraught when I read and hear of the imperfect city planning which might allow yet another shopping mall of chain grocery and drug stores placed within a hundred yards or so from an already existing large shopping mall.

Please, please, let us reaffirm our faith in the need for the human spirit to prosper in the beauty and harmony with which the

natural geographic location of Naples has blessed us. Do not allow the beauty and tranquility of our Park Shore area to be sullied by yet another commercial shopping mall. We have plenty already.

Thelma C. Lose
Naples

City Doesn't Need More Offensive Uses of Land

Editor, Naples Daily News:

The new school of art in our community is called Neapolitan Ugly. Take a good look when you drive north on Gulf Shore Boulevard at the millions of tons of concrete piled high in the sky. We despise it.

Now the City Council is considering more devastation for Park Shore. More dirt, more noise, more traffic, more trucks, more mayhem. Not to mention more water usage.

What we don't need more of is food marts, shopping centers, and offensive usages of what little land is left.

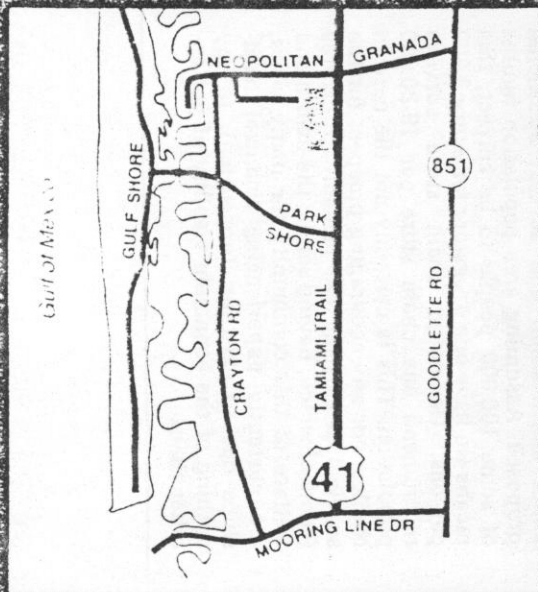
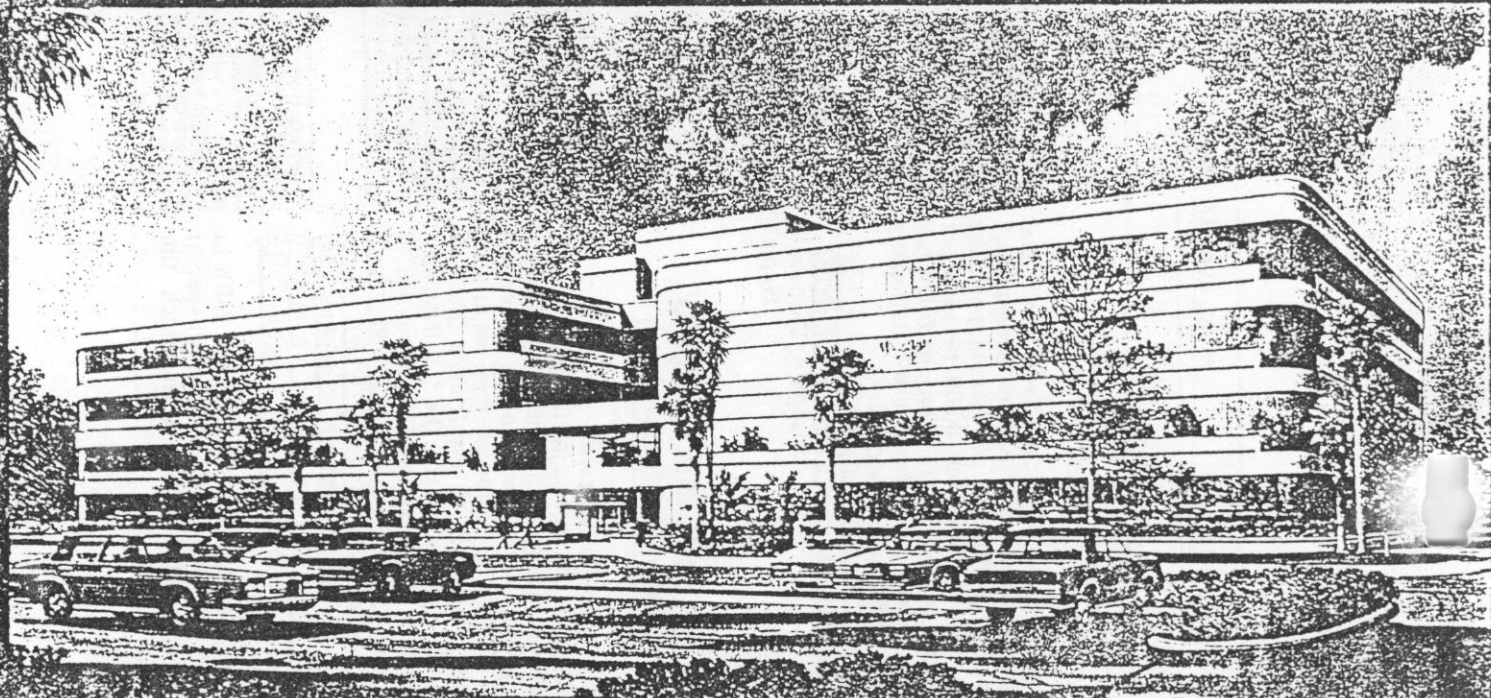
What can be done to stop this self-destruction of a once lovely little city?

H.R. Styron
Naples

Letters from readers are always welcome. Letters should be concise, with a 250-word maximum. All letters must be signed, must include a phone number or address for confirmation, and the name of the sender must be run with the letter. The newspaper reserves the right to edit all letters and to withhold publication of letters considered possibly libelous, defamatory or lacking in good taste.

FORGET TRAFFIC HASSLES ON ROUTE 41.

ATTACHMENT #4 - page 8



Located on the west side of U.S. Route 41, adjacent to the fine residential community of Park Shore, the Collier Bank Building is easily accessible from Crayton Road. Tenants and clients aren't frustrated by heavy traffic conditions on Route 41.

The Collier Bank Building, headquarters for the Collier Bank, serves as a prime location for the image-conscious business.

- Long-term, on-sight, investment-oriented management
- Two-story lobby highlighted by brass and marble finishes
- Suites available from 750 sq. ft.
- Competitive rental rates
- Landlord-provided tenant space planning service
- Construction of generous tenant allowances



COLLIER BANK BUILDING

LEASING: (813) 261-7070

A development of  WEBB-BROWN, INC. (800) 543-4700

Park Shore Stores Clear Initial Hurdle

By CHUCK CURRY
Staff Writer

Developers of a Park Shore shopping center won a City Council vote Wednesday, but will have to wait until July 17 to find out if their controversial plans to build a Publix supermarket will be approved.

• Related news, 3A

Councilmen voted to grant Raymond and Scott Lutgert rezoning for part of the property.

SINCE A second vote on the rezoning is required, councilmen delayed a final decision until their next meeting.

Condominium residents near the (Please see STORES, Page 2A)

Stores

shopping center site on the northwest corner of Neapolitan Way and U.S. 41 North have signed petitions, wrote letters to councilmen and campaigned against the project.

However, criticism has been tempered since the Lutgerts agreed to revise plans in an attempt to buffer shopping center noise and odors from the neighboring Park West condominium and post signs to make sure truck traffic doesn't turn into Park Shore.

"The amended plan is a good one ... if one does not object to having a supermarket as a neighbor," said Park West resident Laurie DeCourcy.

"Our fate is in your hands," she

told councilmen.

WILLIAM VINES, representing the developers, outlined the changes in the shopping center's site plan.

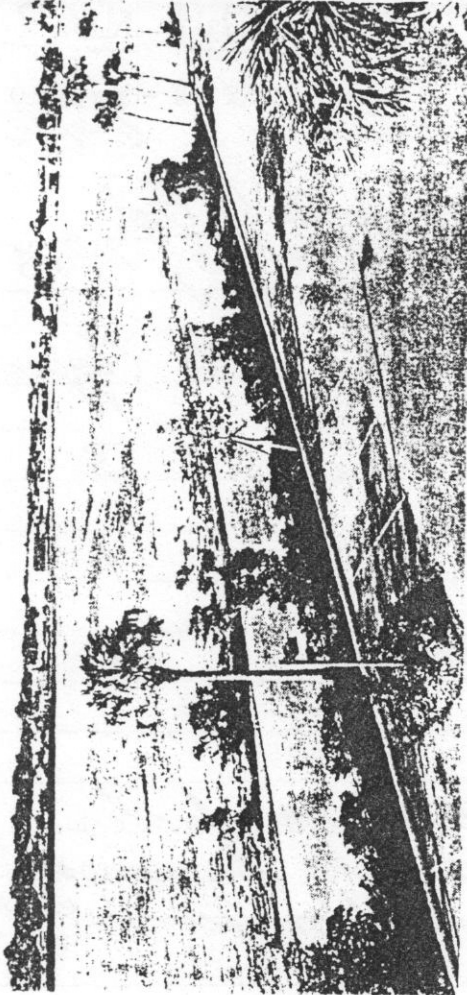
Truck routes on the property have been changed so no traffic will run along the perimeter wall between Park West and the shopping center. Also, more shrubbery and buffer space has been planned. Vines also said Publix supervisors would be able to order their delivery truck drivers not to turn into the Park Shore area — a major concern of residents.

If trucks took a back route to the store along West Boulevard from the Seagate area, residents argued, the safety of students from two

local schools would be threatened. SO, WITH the developers offering a compromise on the noise and odor concerns, the residents now are stressing that something other than a supermarket and a Walgreen's drug store should be built on the property.

City officials are not in a position to judge what a developer wants to build on his property, just grading the impact of the project on the community, City Attorney Dave Rynders said.

● Councilman Bill Barnett pointed out that something would be built on the property and it might be better to have two large chain stores instead of an "unknown quantity" on the site.



Staff Photo by Eric Strachan

POTENTIAL SITE OF NEW PUBLIX MARKET IN PARK SHORE ...this view looks northeast across property along Neapolitan Way.

Publix Hopes for More Stores

By CHUCK CURRY
Staff Writer

Officials of the Publix supermarket chain, who are planning to build a store in the Park Shore area, said Wednesday they hope to add additional stores in the Naples area.

The Park Shore market would put three Publix stores within a six-mile stretch of U.S. 41.

RUMORS THAT Publix would be pulling out of the Naples Shopping Center once the Park Shore store is completed have spread since Raymond and Scott Lutgert announced that the chain grocery store would be anchoring their

development at Neapolitan Way and U.S. 41 North.

The prevailing theory is that the company would be placing too many stores in one area.

This couldn't be further from the truth, Bill Curry, a Publix official, said.

"We wouldn't pull out (of Naples Shopping Center) because of its success," he said.

Curry added that both existing Publix stores along U.S. 41 North are turning good business and that his company "is at a ways looking" for Collier County property to develop into other stores.

THE NAPLES area is ripe for more Publix stores, but Curry wouldn't specifically say if any more of the supermarkets are currently being planned for Naples.

If plans go through for the Lutgert development to be completed, the Publix store would be in direct competition with the Super X market in the Park Shore Plaza.

Curry said he doesn't expect the new store to have a major impact on business at the other two Publix stores.

The company currently operates three stores in

Collier County, the third is located in the Gulf Gate Plaza off U.S. 41 East.

FROM: STEVEN B. CRAMER, CHIEF PLANNER
TO: J. SHROY SCATEN, A

6-18-85.

Number of Various Zoning-Related
Petitions in the First Half of 1985.

<u>Petition type</u>	<u>Number</u>	<u>No. Approved.</u>
Rezone	6	3
Variance	7	1
Special Exception	14	8

(Note: This summary includes petitions that are to be considered by the City Council on June 19, 1985.)

Number of Hotel/Motel Units
Approved in First Half of 1985.

<u>Petitioner</u>	<u>Location</u>	<u>No. of Units</u>
McLabe.	US41, north of Park Shore Drive	<u>67.</u>

Miceli US41 & Goodlette-
Frank Road. 120

Originally 70 units, then 100 units then increased again to 120 units.

Note: On June 19, 1985, the City Council is to consider a request by the Stoneburner family to expand Stone's Inn at US41 & 26th Ave. No. by 70 units (there are 72 units there now).

New total would be 142 units

Figures show county growth tops 200,000

By TOM MORGAN

Collier County's projected 200,000 population level for the year 2000 may already have been passed according to estimates developed this week and based on the number of electric meters now in service.

In contrast, the 1980 federal census showed only 85,991 people permanently resident in the county and this figure was raised to 106,000 by a special census conducted by the Greater Naples Chamber of Commerce last year.

The 200,000 population estimate was developed from meter figures supplied by the two county electric utilities, Florida Power and Light Co., which covers from Marco north, and Lee County Electric Cooperative Inc., for Marco, Immokalee and Everglades City. The meters total 72,202 in the Naples district, 11,652 at Marco and 5,609 for Immokalee and south. The total is 89,463.

Using the national utility factor of 2.5 permanent residents for each meter the indications are that the present area population is 223,657. This should be reduced about 19,000 by eliminating the Bonita Springs people who are included in the FP&L Naples service district. The reduction still would leave the total county population today at 204,657.

The 1984 revision of the Naples comprehensive plan gives a year 2000 median estimate of 183,500 county population, about half way between the lowest estimate of 139,500 and its top prediction of 227,500 for that year.

This week's estimate of 204,857 people already here in the county brought the word such growth is not unexpected from George Patt, executive secretary of the Naples Area Board of Realtors.

"Naples and Collier County continue to show an increasingly popularity," Patt said. "This is expected and desirable and will continue with interest rates holding stable."

• The figures brought concern from Mayor Stan Billick.

Pointing to the updated comprehensive plan, Billick said the ci-



Mayor Stan Billick

ty must make plans for the future and carry them out.

We want to be careful about any steps that try to accelerate growth, Billick cautioned. "We have problems now with water, sewer and roads (as a result of growth) and they are all tied together."

Gov. Bob Graham already had warned last week of approaching

Continued On Page 23

Growth Continued From Page 1

growth problems and estimated the state would have to spend \$32 billion in the next 10 years to handle growth. The money would go for roads, housing, water and sewers, and for beachfront protection to meet the expansion which is now bringing 788 new residents to

Florida every day.

The city has been trying to cope with growth since 1950 when it developed the first of a series of comprehensive plans which survey existing property uses and population and try to forecast growth and guide its direction.

City OKs

Exhibit No. 7

zoning
for store

ATTACHMENT #4 - page 12

By TODD HOLZMAN

Herald Staff Writer

Compromises from a pair of developers have made a supermarket bearable — barely — to a group of Naples neighbors.

Naples City Council gave tentative approval Wednesday for a rezoning that would be the first step toward construction of a small shopping center west of the intersection of U.S. 41 and Neapolitan Way. The vote was 5-0, with two council members absent.

A final vote on the zoning change, scheduled for July 17, will accompany a formal review of the center's site plan, which has drawn opposition from residents of the Park West condominiums.

If the center is approved, Publix will open its fourth Naples-area supermarket next door to Park West. A Walgreens pharmacy and several small retail shops are also proposed.

After a stony initial reception from the Naples Planning Advisory Board, developers Raymond and Scott Lutgert agreed to make several design changes.

Delivery traffic was routed away from the condos, a 25-foot landscaped buffer was added to the site plan, and a very tentative deal was struck between the neighbors-to-be.

"The amended plan is a good one — if one does not object to living next to a supermarket," Park West spokeswoman Laurie DeCourcy told the council.

"We shall continue to negotiate in the hope that something can be done, but I learned a long time ago that fighting windmills is non-productive, and sometimes dangerous," she added.

Some less-cynical neighbors are still calling for the project's defeat.

"A supermarket is not a desirable thing to have in the center of a residential community," Cedric Vogel said.

William Vines, a consultant to the Lutgerts, disagreed. If a supermarket can't be placed on property fronting U.S. 41, he asked, where should it go?

Opponents are also worried that traffic in the neighborhood will increase.

Vines said the streets involved, including Neapolitan Way, will be able to accept much more traffic than the stores will generate.

"A trip to Publix is a trip to Publix," he said. "All a new store will do is make the trip shorter for people in the Park Shore area."

Mayor Stanley Billick suggested that signs be posted discouraging delivery trucks from using residential streets west of U.S. 41 to drive from the planned store to an existing Publix at Naples Shopping Center, 2½ miles south.

The suggestion drew a round of applause, and Vines quickly agreed.

Councilman Bill Barnett, who also lives near the project site, said his neighbors should consider what the alternatives to a supermarket might be.

"It comes down to a known quantity versus an unknown quantity," he said. "If not a Publix, what will go there? You know it's going to be something."

Your Honor Mayor Billick and City Councilman

I strongly urge you to remember you represent the people. This decision today can make a great impact on our City of tomorrow. You have the power not only to represent this generation but the generation to follow.

Now is the time to lay good groundwork and make a contribution to your City.

I In this plan delete that portion that is zoned residential.
II Provide landscaping and a buffer area between our residential area and Commercial.

III Think of the impact on traffic - change the traffic pattern where Semi-trailer trucks will not come down 28th Ave. nor even enter 28th Ave. While reading in the minutes, I read, "No portion of 28th Avenue shall be utilized for off street parking on the Hotel Site land." This parking has continually been used from day one.

IV We want the garbage receptacles to be hidden.

V The City should definitely take this opportunity to acquire the continuation of 10th Street to alleviate traffic especially for future use.

242 (9) Stoneys furnish Rock & Roll music occasionally on Sat. afternoon - Do they have an entertainment license? Are we to have this noise in the future?

(10) They furnish Continental Breakfast to their guests at the Chickee, also if you pay \$1.00 outsiders may also be served. Do they have a restaurant license?

What I'm saying is rules, regulations and zoning conditions should be made for all to abide by. ~~of the~~ ~~from~~ ~~in~~ ~~the~~ ~~future~~ what can we expect ~~of~~ ~~them~~ in the future?

Zoning laws are enacted by local legislatures with the aim of protecting and enhancing the interests of all property owners. Now is the time to abide by our laws and ordinances.

We as residents, look to you to protect and preserve our area as it is zoned. Many of you stated in the past you were going to stop "Spot zoning". Please keep this in mind with your recommendations and vote today against this Spot zoning. Leave lot 1 + 2 as residential lots. I'm sick of the saying "highest + best use of the land". Most of you don't have to worry about what's located or being located in your back yard.

VI The laundries, located at present should be torn down or hidden. No one on 28th Ave. uses outdoor lines for their washing but we are subjected to clothes hanging out most everyday at this location. Hasn't Stoney ever heard of clothes dryers?

VII We are against 35 efficiencies - could result in fire hazard. Who has their mind on cooking when on vacation?

VIII The trailer court is non-conforming. In the 60's Naples Trailer Court were told that as trailers vacated more could be replaced on lot. Yet Stoneburners have moved 4 or more trailers recently on this land by their own admission, plus a number of permanent mobile homes over the years. I would like to know how come the City has allowed more than 123 families to live in a trailer court zoned single family which requires 7,500 sq ft min. lot size? This area is 3,332 sq ft, and should have only 44.3 lots or homes. (lot 1000 ft by 332.) On non-conforming any damage by over 60% cannot be replaced. Right? Then why are trailers being placed on land where the trailers burned up. Why is it this is the only Trailer Court within the City limits? The trailers that are to be moved should be moved to a more appropriate place outside the City.

(4)

If our land is to be taken up with hotels, shopping centers, expensive Condo's + retail business, where are the year round residents and future home owners to live, There's little land left ^{now} for the working class and the limited income retirees ~~etc.~~

I wish they would remodel what they have and forget this Planned Development. Planned Development originally was to be for 100 acres minimum and used to offer flexibility of design in 1967. In other words it was to be high quality land planning development compatible with adjacent and nearby land. I once heard you must have 20A. or more for planned development. What now? A-4 story hotel, retail stores + etc is not compatible adjacent to residential area.

Please don't let me lose faith in our City officials, I'm not only fighting to keep Naples Beautiful but to uphold justice.

Thank you.

ZADA LINDSAY

Mayor Billich & City Council Members

My name is Fred Lindsay and I live at 1024 28th Ave. S.

and I have some questions to ask regarding the proposed changes petition 85-CP2 and 85-R6 and 85-514

The planning board recommended that approval be conditioned on dedication of 60' right of way to the city for the extension of 10th St.

1. Question: how soon would the city have the st. extended?

2. Why are we not entitled to the same kind of a buffer the Park Shore group has been offered.

3. Why are large trucks allowed to park on the city right of way, parked so close to the corner that it makes it very dangerous to cross the street.

I submit these pictures that show the trucks parked on the right of way.

4. Since a good number of the trailers, possibly 20 or more will be displaced by the changes and Darlene Stonebrow intends to move them back further into the trailer park

I submit that you should ask the city attorney if that is legal in as much as the Naples Trailer Court is a non conforming entity, and nothing can be replaced once it is removed.

In this same vein I would like to know if the city of Naples has a standard for trailer parks or is it a trailer court?

is there a required density? are the electrical hookups up to standard procedure or are there special regulations regarding them

I am also submitting pictures of ~~some~~ some of the homes on 28th Ave. and these proud home owners would not want their investment in this area to decrease and the dedication of the 60' to the city and 10th St. continued through would keep the highway commercial on the other side, West side of 10th St. as it shall with a nice buffer along 10th St. where the parking lot will be.

Question: The drawing of the proposed Planned development shows a 4 story building, is there not a height restriction for this area, such as 2 story?

on the prepared plan a bullet-board shows trash ~~containers~~ ^{dumpster} moved back to approx original position. Does dumpster by law have to have a screen of some type on 3 sides and what height must it be.

Gentlemen,

It is our intent to establish beyond a reasonable doubt that the project now proposed by Naples Marine Development Inc., is 1) a commercial project, 2) completely out of character for this area, and 3) violates the intent of the city ordinances governing Planned Development.

We would initially like to establish that the nature of the original plan has changed and is now strictly commercial. We feel that Mr. Takos, who represents this company, has made this point himself by requesting huge increases in the marina and boat storage areas and by the equally drastic cuts in recreation, lounge, and restaurant facilities. We also feel that Mr. Takos has proven this point by stating at the last City Council Meeting that he is intending to place the recreation, restaurant, and club facilities formerly intended for our neighborhood, on the O.M.C. property. That which remains of the recreational facilities on the marina property are simply tokens, intended to make his plan more palatable. We feel that Mr. Takos's statements again support this premise by his admission at the last PAB meeting that he would rather not be made to construct the few remaining recreational amenities offered in his latest revision. For the staff report to conclude that the club concept has been reintroduced into his plan is to stretch the limits of credibility, considering Mr. Takos's own admission that the real club will be located on the O.M.C. property. To further establish that his true intent is to have a commercial boat storage marina, I would like to introduce a brochure that was sent through the mail by Mr. Takos to present boat owners describing his facility in great detail. As you will note, this facility is strictly a marina - boat storage and cannot be construed as anything but commercial in nature. If this establishes in your minds that this project is really commercial, the question you must then ask yourselves is this: "Is this commercial project compatible and beneficial to our neighborhood?"

At the June 19 Council Meeting, the City Attorney offered this advice on establishing the criteria for the land use of a parcel. He stated that a rule of thumb is to look right and to look left when standing on the parcel in question to see if it is compatible with its neighbors. What we see is a residential neighborhood to the North and undeveloped "Planned Development" to the South. It would be impossible to judge what will be developed to the South, as "Planned Development" can vary greatly in its nature. Keep in mind, though, that it should be beneficial and compatible with the adjacent area. What we should be concerned with primarily, is how this revised project of Peter Takos will affect our residential area and how this new project will benefit and be compatible with what is actually occurring in this area.

In talking with members of the Planning Department, we feel that their recommendation to approve this project has been based on the fact that the airport and the waste treatment plant have a significant influence on the way the remaining undeveloped land will be utilized. We wish to state at this time that this is not so. The sewer treatment plant was possibly once a factor in this area. This, however, is not the case now as sewer effluent is being treated more effectively with better equipment. Odors that were once a problem in our area, no longer exist. It is my understanding that within 18 months, our sewer treatment plant will be modernized extensively. This will totally decrease its impact on the area. Airport noise, that was

once a problem has been addressed and late night noise from run-ups has been reduced to a rare emergency. Daytime noise from the airport has never been a problem as we are at the cross area of the runway, ~~AWAY~~ from the landing and take-off patterns. With this in mind, we feel that the best use for land in this area is still residential, but would concede a proper "Planned Development" project could also be beneficial to our community. We have an extremely attractive approach, a beautiful country atmosphere, and folks that love this area. We are, therefore, making the point, that to say this land is located between an airport and a sewerplant and is in a "bad neighborhood" so to speak, simply isn't so. Neither of these operations have an impact on the day-to-day living of the residents in our area. The main impact of the project will be on the lands that border it to the North and South. When viewed in this perspective, we feel the marina is completely incompatible with adjacent lands, particularly our subdivision. We feel that in using the airport and sewer plant in their staff report, the staff was not perceiving our neighborhood as it really exists.

As you will note on the overview of the original club, it is very beautiful and impressive. One would be hardpressed to argue that this was not beneficial or compatible with our area. In fact, we were all impressed with this original project. As planned originally this project would have required an improved access road to guarantee its success. We were all aware of this fact at that time and considered the improving of North Road, a contributing beneficial aspect. Also, the high level of continued maintenance associated with a bonafide club would have made it beneficial to the area year after year. The storage buildings pictured on the artist's rendering have a mansered roof design which is far more attractive than the Plain Jane roof now planned. When asked by Mr. Barton at the original presentation about how the buildings would appear from the street, Mr. Gilman assured him that the buildings would blend into the natural character of the area. One can only assume from this statement that the buildings would indeed be made to blend into the area, and would not remain as a white sheet of steel siding 40' high and 300' long. An example of what can be done with a plain steel building can best be illustrated with this photograph of a facaded metal building, which, while being shorter, than the proposed buildings, shows what can be done to make an unsightly building attractive. I believe I have expressed valid reasons why the original concept for this club would have been beneficial and compatible to our neighborhood.

On the other hand, I would make my case for this new concept to be incompatible and not beneficial to our area.

The building ordered on this new revision is the largest building of its type in the Naples area. There is only one building that is comparable in Naples. This is the PBA Airlines Maintenance Hanger. This building is gigantic but would fit nicely into the Boat Club's building with a lot of room to spare. It seems strange to me that a building of this enormous size and starkness could be deemed suitable to cohabitate with our residential area. I haven't seen any plans or heard of any proposals to facade this giant to make it blend into the natural character of the area. In actuality, we will have a building that contrasts greatly with the natural surroundings and the residential neighborhood.

Marina/Boat-Storages have historically, over the years, become run down in their appearance and have accumulated a great number of idle boats and trailers parked on their premises. I support this conclusion by offering these photographs of area marinas and boat storage facilities. As you will note, they generally look ill-maintained and ugly. Along with these, I have photos of some of our homes in Avion Park showing the contrast and obvious incompatibility of their

existence side-by-side. This new commercial project would require a high chain link fence around the property for insurance purposes. This type of fence is very unattractive and would further detract from what is already very ugly. A true recreational club on the other hand would probably have a green coated chain-link fence or at the very least would have hedges growing up through the fence to disguise its unattractiveness. What will happen with ^{the} type off project after the next big freeze when many of the plants could be killed off? Will the owner dig them out and replace them? With this type of project, that would be unlikely. Will the buildings be painted on a regular basis? These photographs illustrate that this is not the trend. With extra 500 trips per day on our limerock road as indicated in the engineering report, our standard of living would drop drastically as our road, at present is in bad shape and in no manner could it stand up to an extra 500 trips a day without continual maintainence. It is impossible to imagine how this aspect of the project will be beneficial to us.

Gentlemen, I believe that I have given valid reasons why the original project was beneficial and compatible to our area and the revised project is not. Before you vote YES to this revision, I would appreciate it if you would explain to me the merits of this new revision and how it is beneficial and compatible to my residential area. Thank you.

The first issue that I will address is the issue of the road. In a report dated June 21, 1985, the City Engineer recommended conditional approval for this project with the stipulation that North Road be improved by the petitioner to acceptable County Standards and to City "Collector II" standards. The reason was that the City Engineer estimated that with the total project in place, 1000 or more trips would be a conservative estimate of the increase in traffic on North Road. This being the case, the engineer felt that the road could not adequately support this increase in traffic without continual maintenance of its surface. The City Attorney reviewed this report and said that as he interpreted City Code Appendix A, Section 6 (43) D, this could not be required of the developer and that the City Engineer should revise his recommendation accordingly. Now, I read that section of the code and found it very vague as to what anyone is really required to do so I am assuming that it is open to interpretation. As I understand it, the developer can not be required to put in a road with one building but with two buildings, the City Engineer's report that a road must go in is being upheld. I don't see where this distinction is made in the code. It appears as though the final interpretation is being delayed until the second building goes in.

The City Engineer did revise his report so that it dealt with the road as it would be affected with one storage building in place. He estimated that 500 trips per day would be generated with one of the buildings in place. Mr. Gilman took exception to this at the PAB meeting. He felt that it was safe to say that each owner would only use his boat once a month so no significant increase in traffic would be generated by his project. We would like to point out that traffic could be generated by the following: employees, customers shopping in the sales area, customers checking on boat repairs, groups of people meeting at the marina to spend the day on a boat together, deliveries and service vehicles in addition to people driving out to see what the "new" marina looks like. I feel that this makes a believable case that the road traffic would be significantly increased if this project is approved. Presently, there are about 150 trips per day on this road. With this amount of use, the road has to be maintained every three or four weeks. If this new project is approved and the road is not improved, it will have to be maintained every few days with this increase in traffic. If the City is willing to inflict this project upon us, are they also willing to assure us that our road will remain at the same level of maintenance the County has provided us with? I called the County last week to tell them the road needed maintaining and nothing has been done to date. Is this the beginning of a pattern that will be set when a new project with great demands on the road is put in?

This, however, isn't the complete point I want to make concerning the road. This is: If the developer were to put in a road, it would certainly improve his project but it still would not make his project compatible with our neighborhood. I do not feel that the road is the sole responsibility of the developer - nor do I feel that the paving of North Road should be the deciding factor as to whether this project is approved or disapproved. I feel that there is an obligation on the part of the City, the County, the Airport, Mr. Gilman and other prospective developers as well as the Residents to pave North Road in its entirety before any large facility is built that increases traffic flow. The issue of the road must be resolved before any building permits are issued.

At the PAB meeting, Mr. Johnson asked my husband at least twice if he wanted a road for free. My husband said, "No." My question is, "Will the City and the County accept a substandard road for free?" If Mr. Gilman will pave the road, does this make his project compatible with our neighborhood? Of course, it doesn't. I would rather the City turn

down Mr. Gilman's project and make the road the responsibility of all of the parties that I mentioned above. There is no way that this project should be allowed to go in without a road. At the same time, there is no way that a road will make this project compatible with my neighborhood.

The second issue I will address is that of noise. If Mr. Takos is allowed to operate 12 hours a day, seven days a week, does this mean that I am never going to have a day off from the sounds of motorboats being started up, repaired, and idled? We have had a noise problem with PBA in the past that was very difficult to resolve. I believe that you are creating a noise nuisance in my neighborhood by approving this project. If I want to have an afternoon party, does listening to Mr. Takos's marina noises have to be a part of the agenda? His operation is going to take the peace and quiet out of my life. Noise Ordinances are very difficult to enforce. This issue has not been addressed and, yet, it is very real. In the original plans, the club that Mr. Gilman projected would not have allowed the amount and degree of noise that is going to be generated by his new project.

The third issue that I would like to address is whom is this project being built for? Is it for the citizens of Naples or is it being built to provide a solution for a County problem? Mr. Takos has defined his project in so many different ways that I am not really clear on exactly what he intends to do. I do realize, however, that if he has any empty slots in his boat-storage buildings, he will rent them out. Will this service benefit the city boat owners or boat owners who live in Collier County? If it is for a County need then my next question is; "Why should a facility that will benefit Collier County detract from my neighborhood in the City?"

The fourth issue I will address is that of my rights. If Mr. Gilman builds a project that benefits my neighborhood and my property increases in value, my rights have been protected. If, however, this project is allowed to go in, I have already been told by real estate people that the desirability of my land is going to diminish. A few days ago, I was told a woman was looking at a lot in our neighborhood. When she was told about Mr. Gilman's project, the land no longer interested her. This indicates to me that people do not find land in the close proximity of a boat storage facility desirable. This means that the value of my property is not going to be as great in the eyes of prospective buyers. I have been told that if my property is decreased in value because of this project, I have, in essence, been robbed of some of my property's value without due process of the law or without just compensation. Gentlemen, no one has told me how this project will improve my neighborhood. I see it in the same negative light that others outside my community see it in. Are you going to allow this monstrous steel project to go in at a real estate loss to me? You have the power to turn this project down. Please do.

Yesterday, my neighbor came over to tell us that Mr. Takos' secretary had just called her to see how she would feel about the developers returning to his original project. She asked her if she would be in favor of it. My neighbor replied that she would have to look at the original plans before answering. She came over and we showed her a copy of the plans. My issue is this: Mr. Takos has given us several variations of the same plan. I am not sure what he really intends to build. He must have some doubts as to how appropriate his own revision is if he is calling my neighbor through his secretary, the night before the City Council Meeting. Gentlemen, please make him go back to his original plan but if you do, insist that the whole project go in at once.

As it stands now, the original was approved in phases. I fear that if Mr. Takos goes back to his original plan, it is obvious from past events that he will build the boat-storage buildings only and fail to put in the recreational facilities.

My last point and really my major one is the question of this project being compatible and beneficial to my neighborhood. First of all, I would like to state that I am not against "Planned Development." I thoroughly approved of Mr. Gilman's first two projects. What I am against is a "Planned Development" project that does not meet the criteria set forth in City Ordinances. That is how I classify this revision to Mr. Gilman's original project.

At the last PAB meeting, my husband asked the PAB to address two questions. How is this project compatible with our neighborhood and how ~~is~~ this project beneficial to our neighborhood? These issues died on the lips of Lodge McKee who said that he had a difficult time with it. None of the other members even tried to explain how a project as gross as this could possibly be compatible or beneficial to our neighborhood. Gentlemen, fancy measurements aside, the actual height of this building is going to be 46' in the air. That's almost 50'! The only building that comes close to this in size is the maintenance hanger at the airport but even that is smaller. Do you realize how tall that actually is? It is monstrous!!! Gentlemen, I defy anyone in this room - I defy the developer - to give several concrete examples of how this building is compatible and beneficial to our neighborhood. Common sense tells all of us that a building 200' by 300' with an actual height of 46' would have a difficult if not an impossible time blending into the character of any neighborhood. This building would even stand out in an industrial park. My husband and I were not able to find one this large in any industrial park in this area to compare it to. How would you benefit if a building of this tremendous size was set down next to you? The only way would be to sell your property and move out before the building went in.

Gentlemen, I felt some sympathy for Mr. Gilman when I considered that he had ordered his building and cleared his ground. This sympathy turned to anger when I realized exactly how high a building he was trying to put up. When I realized that anyone sitting in my diningroom would have his tall, ugly building as a view, I realized that there was no way it could have anything but a negative impact on my life and that of my neighbors. Gentlemen, the real issues here are clear. Is this project compatible and beneficial to the Residents of Avion Park. I think the facts speak for us. Please do not let the real issues become clouded. Gentlemen, we represent the truth. The burden of proof has been ours from the start. We have proven our point. Please protect us and turn this revision down. I don't see how you could do otherwise in good conscience. Thank you.