



City of Naples

Regular Meeting April 2, 1986

City Council Chambers
735 Eighth Street South
Naples, Florida 33940

-SUBJECT-	Ord. No.	Res. No.	Page
<u>ANNOUNCEMENTS</u>			
MAYOR PUTZELL - noted receipt of flowers from County Commission for use of the Council Chamber			1
- reported his congratulations to Police Chief and Department for their recent narcotic arrests			1
CITY MANAGER JONES - noted "Open House" at City Hall April 19			1
- reported congratulations to Fire Chief and Department for improved fire rating for City			1
<u>APPROVAL OF MINUTES</u> - Workshop Meeting, 02/26/86, as amended			1&2
Regular Meeting, 03/05/86			
Workshop Meeting, 03/12/86			
Regular Meeting, 03/19/86, as amended			
<u>PURCHASING</u>			
Award Bid - asphaltic materials, semi-annual contract		86-4963	2
Award bid - water distribution/wastewater collection materials		86-4964	2
Award bid - Renovation of concession stand at Pier		86-4965	2
<u>RESOLUTIONS</u>			
Accept water main - Villas Raphael, no. of Seagate Dr		86-4962	1&2
<u>CONSENSUS TO APPROVE</u> - Alley Vacation Pet 86-AV1 - vacate 150 ft of N/S alley, Block 20, Tier 9, west of Seashell Motel, Mark Moran		86-_____	4
Approve preliminary plat - "Kasota 3rd", 201, 203 & 205 Third St So		86-4968	5&6
Approve elimination of <u>right-turn-only lanes</u> , U.S. 41 bet. Solana Rd and Sandpiper St		86-4970	7
<u>ORDINANCES - First Reading</u>			
Approve sale of <u>alcoholic beverages</u> on Sunday, April 27, 1986, "Taste of Collier" event	86-_____		6&7
<u>- Second Reading</u>			
Adopt Rezone Pet. 86-R10 - <u>rezone</u> east side of Goodlette-Frank Road north of Central Avenue and south of Police/PW complex to "PD"	86-4966		2
Adopt Rezone Pet. 86-R3 - <u>rezone</u> north side of Ninth Av So bet. 7th & 8th Sts So - The Hemingway - to "PD"	86-4967		3
Adopt ordinance <u>regulating the use of public and private sewers, etc.</u>	86-4969		6
<u>DISCUSSION</u>			
Memo from Mr. Richardson re moratorium on capital expenditures by Airport Authority			8
Airport Authority's affirmation of their concern for safety re the Versailles Hotel building			8
Old Naples Association - comments re the airport			9

M O T I O N
 S E C O N D
 C O U N C I L
 M E M B E R S
 A B S E N T

CONSENT AGENDA (Cont)

PURCHASING ITEM 6

---RESOLUTION 86-4963 ITEM 6-a

A RESOLUTION AWARDING THE BID FOR THE CITY'S SEMI-ANNUAL REQUIREMENTS FOR ASPHALTIC MATERIALS; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Title not read.
 *** *** ***

---RESOLUTION 86-4964 ITEM 6-b

A RESOLUTION AWARDING THE BIDS FOR WATER DISTRIBUTION/WASTEWATER COLLECTION MATERIALS; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Title not read.
 *** *** ***

---RESOLUTION 86-4965 ITEM 6-c

A RESOLUTION AWARDING THE BID FOR RENOVATIONS TO THE NAPLES PIER CONCESSION AREA; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFORE; AND PROVIDING AN EFFECTIVE DATE.

Title not read.

Mayor Putzell stated that he wished the minutes of February 26 Workshop, Item 1, to reflect his ruling that Council approve requests for separate discussion of Consent Agenda items. He also stated that the discussion on Item 9-b, Regular Meeting of March 19, 1986, reflect his concern about garages on the street side of the project and his suggestion to table the matter until after further discussion with the petitioner.

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

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

Anderson-
 McDonald X
 Barnett X
 Bledsoe X
 Crawford X
 Graver X
 Richardson X
 Putzell X
 (7-0)

COMMUNITY SERVICES DEPARTMENT/NAPLES ITEM 7
PLANNING ADVISORY BOARD

---ORDINANCE 86-4966 ITEM 7-a

AN ORDINANCE REZONING PROPERTY LOATED ON THE EAST SIDE OF GOODLETTE-FRANK ROAD, NORTH OF CENTRAL AVENUE AND SOUTH OF THE CITY'S POLICE DEPARTMENT/PUBLIC WORKS COMPLEX, FROM "I" INDUSTRIAL ZONING TO "PD" PLANNED DEVELOPMENT; DIRECTING THAT THE ZONING ATLAS BE REVISED TO REFLECT SAID REZONING; APPROVING THE OFFICIAL DEVELOPMENT PLAN IN COMMUNITY DEVELOPMENT FILE 85-R10, SUBJECT TO THE CONDITIONS SET FORTH HEREIN; AND PROVIDING AN EFFECTIVE DATE.

PURPOSE: TO REZONE SAID PROPERTY AT THE REQUEST OF THE OWNER IN ORDER TO DEVELOP A PLANNED MIXED-USE COMMERCIAL DEVELOPMENT.

Title read by City Attorney Rynders.

Public Hearing: Opened - 9:13 a.m. Closed - 9:14 a.m.
 No one present to speak for or against.

Community Services Director Barry noted that this had been discussed in depth at the First Reading.

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

Anderson-
 McDonald X
 Barnett X
 Bledsoe X
 Crawford X
 Graver X
 Richardson X
 Putzell X
 (7-0)

COUNCIL MEMBERS

M O T I O N S
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COMMUNITY DEVELOPMENT DEPARTMENT/NAPLES
PLANNING ADVISORY BOARD (Cont)

ITEM 7
(Cont)

—ORDINANCE 86-4967

ITEM 7-b

AN ORDINANCE REZONING PROPERTY LOCATED ON 9TH AVENUE SOUTH BETWEEN 7TH AND 8TH STREETS FROM "R1-7.5" SINGLE-FAMILY RESIDENTIAL, TO "PD" PLANNED DEVELOPMENT; DIRECTING THAT THE ZONING ATLAS BE REVISED TO REFLECT SAID REZONING; APPROVING THE OFFICIAL DEVELOPMENT PLAN IN COMMUNITY DEVELOPMENT FILE 86-R3; AND PROVIDING AN EFFECTIVE DATE.

PURPOSE: TO REZONE SAID PROPERTY AT THE REQUEST OF THE OWNERS TO CONSTRUCT EIGHT (8) SINGLE-FAMILY DWELLING UNITS WITHIN FOUR (4) BUILDINGS.

Title read by City Attorney Rynders.

Public Hearing: Opened - 9:16 a.m. Closed - 9:37 a.m.

Community Development Director Barry noted the revised site plan (Attachment #2) that the developer had provided showing garages set back, two of the building groups facing other streets, and relocated trash containers to the rear of the property leaving the unimproved alley in tact. Mr. Bledsoe voiced his opinion that the revised plan was a big improvement. Realtor David Spencer, architect Robert Forsythe and project engineer William Barton, representing the petitioner, spoke in support of this project. Mr. Spencer distributed a statement (Attachment #3) signed by adjacent neighbors indicating no objections to the project. Mr. Forsythe reviewed the revised site plan; and Mr. Barton, the storm water management plan. Mr. Barton emphasized that if the lots were developed individually, there would be no requirement for a uniform plan for storm water management (Attachment #4).

Local resident William Tracy urged Council to improve the alley to upgrade the drainage and to better facilitate garbage collection. Ed McMahon, representing the Old Naples Association, spoke in favor of the project because he said he thought the City would have more control with the "PD" designation. He further noted that the appearance of each house had been altered so they would not look alike. Mayor Putzell noted a letter from adjacent resident Kevin Donovan (Attachment #5). Mrs. Anderson-McDonald distributed a memo reflecting her views (Attachment #6).

In response to a question Mrs. Anderson-McDonald asked on behalf of a citizen, Mr. Barry stated that the development plan would be enforced through the building permit process; Mayor Putzell asked that the inspectors perform their required duties during construction.

Mr. Crawford stated his belief that even though the project was attractive, it was still zoning degradation because it was multi-family units in single family zoning and was putting eight units where there were seven proper lots. Mr. Graver also said he felt that the project was a duplex-concept in single family zoning and was an increase in density by having eight units where there only could be seven lots. Mr. Richardson said he felt this project was better than what could be built there by individuals.

During roll call, Mayor Putzell stated that he was concerned about this multi-family aspect in a single-family zone and said that this was an illustration that the zoning ordinance in his estimation needed revision to be brought up-to-date. He stated, however, he would vote with the majority inasmuch as it was already a 4-2 vote prior to his turn to vote.

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

Anderson-McDonald
Barnett
Bledsoe
Crawford
Graver
Richardson
Putzell
(5-2)

X
X
X
X
X
X
X

COUNCIL MEMBERS

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COMMUNITY DEVELOPMENT DEPARTMENT/NAPLES
PLANNING ADVISORY BOARD (Cont)

ITEM 7
(Cont)

---RESOLUTION 86-4968

ITEM 7-d

A RESOLUTION APPROVING THE PRELIMINARY AND FINAL SUBDIVISION PLAT FOR A PROPOSED FOUR (4) LOT SUBDIVISION TO BE KNOWN AS KASOTA 3RD LOCATED AT THE SOUTHEAST CORNER OF THIRD STREET SOUTH AND SECOND AVENUE SOUTH; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

Public Hearing: Opened - 10:20 a.m. Closed - 10:30 a.m.

Community Development Director Barry reviewed the information in his memo dated March 25, 1986 (Attachment # 8). He noted that the developer had originally planned this project as a condominium and the building permits were issued as such. During the construction, the petitioner decided to deed each unit and the land area, or footprint, under each unit as well as the unit itself rather than the air space within the structures which is typical of a condominium. He was advised by the City Attorney's office and the Community Development Department that this would require the approval of a subdivision plat because Lots 1, 2 and 3 in this instance would not meet the zoning ordinance requirements relative to lot width and area.

Mr. Barry noted the technical conditions that were imposed on the plat as submitted. He said that a revised preliminary plat and a final plat will be brought back to Council. Petitioner John Krueckeberg answered questions from Mayor Putzell about choosing this type of deeding for multi-family ownership. He further explained that the condominium form of ownership was cumbersome and awkward for a small group, citing the required annual meetings, the method of accounting required, the keeping of minutes, etc. He said he felt that fee simple footprint deeding was a legal formality.

Mayor Putzell expressed misgivings that Council would be creating a precedent, but Mr. Krueckeberg defended the concept as not being precedent-setting, stating that there were many similarities to condominium ownership such as sharing the maintenance, insuring, repairing and rebuilding the structure, uniformity of appearance, etc. He said he believed it was similar to the project discussed earlier. City Attorney Rynders cited Section 20-51 in the Naples City Code. Mr. Crawford asked if the project would have to be a condominium if the petition were not approved, to which Mr. Richardson replied in the affirmative. Mr. Richardson moved denial of the resolution, seconded by Mr Barnett.

In response to further questions from Mr. Barnett, City Attorney Rynders explained that the project could remain under one ownership and be rented or sold as condominiums or cooperative apartments. Mr. Barry noted that there was another project in Park Shore that had not received building permits yet and The Hemingway that had just been approved by Council would also come back with a preliminary and final plat similar to this one. Mayor Putzell said that this had not been mentioned before, but City Attorney noted that approving zoning was different from approving underlying subdivisions of land. He further explained that the approval or disapproval had to be based on certain standards as cited in the Code and not just because Council did not care for this type ownership. Council needed to have a reason based on the subdivision code that indicates that approval of this development is not in harmony with future development of the City, he added. Mayor Putzell noted that staff had recommended approval subject to certain conditions. Mr. Barry reiterated that if this resolution were to be approved, it would have to be for only the preliminary plat.

MOTION: To DENY the proposed resolution.

Anderson-
McDonald
Barnett
Bledsoe
Crawford
Graver
Richardson
Putzell
(3-4)
FAILED

X X
X X
X X
X X
X X
X X

COUNCIL MEMBERS	M O T I O N	S E C O N D	Y E S	N O	A B S E N T
<p><u>COMMUNITY DEVELOPMENT DEPARTMENT/NAPLES</u> <u>PLANNING ADVISORY BOARD (Cont)</u></p>					
<p>---<u>RESOLUTION 86-4968 (Cont)</u></p>					
<p>*** Mr. Crawford left the Council Chamber - 10:40 a.m. ***</p>					
<p>*** MOTION: To <u>ADOPT</u> the resolution as amended by deleting "final".</p>					
<p>-----END COMMUNITY DEVELOPMENT/PAB-----</p>					
<p>*** Mr. Crawford returned to the Council Chamber - 10:43 a.m. ***</p>					
<p>-----ADVERTISED PUBLIC HEARINGS-----</p>					
<p>---<u>ORDINANCE 86-4969</u></p>					
<p>AN ORDINANCE REGULATING THE USE OF PUBLIC AND PRIVATE SEWER AND DRAINS, PRIVATE WASTEWATER DISPOSAL, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS, AND THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM; PROVIDING PENALTIES FOR VIOLATIONS THEREOF; AND PROVIDING AN EFFECTIVE DATE.</p>					
<p>PURPOSE: TO PROVIDE A COMPREHENSIVE REGULATORY POLICY FOR SEWER USE.</p>					
<p>Title read by City Attorney Rynders.</p>					
<p><u>Public Hearing</u>: Opened - 10:44 a.m. Closed - 10:45 a.m. No one present to speak for or against.</p>					
<p>*** Mrs. Anderson-McDonald left the Council Chamber - 10:44 a.m. ***</p>					
<p>City Attorney Rynders noted that this was one of the requirements for receiving the \$3-million effluent disposal grant from the state.</p>					
<p><u>MOTION</u>: To <u>ADOPT</u> the ordinance as presented on Second Reading.</p>					
<p>-----END ADVERTISED PUBLIC HEARINGS-----</p>					
<p>*** Mrs. Anderson-McDonald returned to Council Chambers - 10:46 a.m. ***</p>					
<p>-----FIRST READING OF ORDINANCES-----</p>					
<p>---<u>ORDINANCE 86-</u></p>					
<p>AN ORDINANCE PERMITTING THE SALE OF ALCOHOLIC BEVERAGES ON APRIL 27, 1986, BETWEEN THE HOURS OF 12:00 NOON AND 4:00 P.M. BY THE COLLIER COUNTY RESTAURANT ASSOCIATION OR THEIR AUTHORIZED AGENTS AT THE "THIRD ANNUAL TASTE OF COLLIER" FUND RAISING EVENT TO BENEFIT THE MENTAL HEALTH ASSOCIATION HELD IN THE CITY OF NAPLES; AND PROVIDING AN EFFECTIVE DATE.</p>					
<p>Title read by City Attorney Rynders.</p>					
<p>Bierne Brown was present to represent the Collier County Restaurant Association. To questions from Mr. Richardson, City</p>					

Anderson-McDonald					X
Barnett			X		
Bledsoe	X		X		
Crawford					X
Graver		X	X		
Richardson				X	
Putzell			X		
(4-2)					
Anderson-McDonald					X
Barnett			X		
Bledsoe			X		
Crawford			X		
Graver	X		X		
Richardson		X	X		
Putzell			X		
(6-0)					

COUNCIL MEMBERS

MOTION RECORD

PRESENT

CORRESPONDENCE & COMMUNICATIONS

NAPLES AIRPORT STUDY MEMO - April 1, 1986
Councilman Lyle Richardson

Mr. Richardson read his memo (Attachment #9) into the record. Ed Kant, Chairman of the Airport Authority, stated that there was no definite proposal to move the airport, but he acknowledged that there was a study to gain more information about the future of the airport. He reported that the increase of hotel rooms had impacted the traffic at the airport to a greater degree than anticipated. Mr. Kant then stated his opinion that there were three alternative: 1) do nothing; 2) do something, but he was unsure what; or 3) to step back and get some objective, professional help in looking at the problems such as the study would produce. He further indicated that there were some on-going projects that had to continue even during the study. He noted the Authority's interest in the site of the airport, the noise issue, and the safety issue. Mr. Richardson pointed out that his memo only suggested that things be called to halt until the information sought by the study was available, but Mr. Kant replied that there were certain things that did not lend themselves to that type of moratorium. Mr. Richardson asked for a list of things that could be held up and Mr. Kant suggested reviewing the capital expenditures, the ones proposed and the ones that are on-going, and use that as a basis of discussion as to how to reprioritize. Mayor Putzell suggested that if Council agreed, the Airport Authority could be requested to bear in mind delaying capital commitments that might be affected by the outcome of the study. Mr. Kant said he would take this request back to the Authority and asking for some positive action. In response to a question from Mr. Graver, Mr. Kant replied that the study should be done some time between six months and a year.

Mr. Richardson requested a consensus from the Council asking that the Airport Authority follow through on the letter he had written and that the Authority make an appropriate response to the City Council. Mr. Bledsoe seconded the motion, and added "that the factor that affected the citizens of this community is the noise problem."

Mr. Kant commented that he acknowledged that there were noise problems; however, he stated that it was untrue that the jet noise was due to the Piedmont jets. Mayor Putzell stated that he has asked the City Attorney whether or not the City can adopt an ordinance with respect to the noise problem and he is now studying it.

MOTION: SEE ABOVE

Mr. Crawford and Mr. Graver voted affirmatively, but both stated their faith in the Airport Authority's understanding of the situation.

*** *** ***

Mr. Graver questioned Mr. Kant about the statement made by a Councilman during the vote on the Versailles issue to the effect that this individual had been told by three members of the Airport Authority that they were not concerned about the safety factor with respect to this five story hotel. Mr. Kant responded that a vote had been taken at the Authority's meeting yesterday to ratify unanimously that one of their major concerns about projects like the Versailles was the safety concern.

Anderson-
McDonald
Barnett
Bledsoe
Crawford
Graver
Richardson
Putzell
(7-0)

X
X
X
X
X
X
X

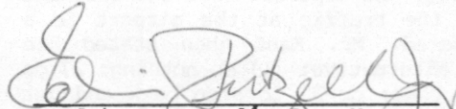
COUNCIL MEMBERS

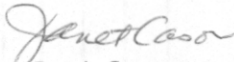
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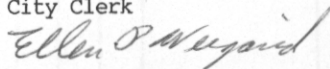
CORRESPONDENCE & COMMUNICATIONS (Cont)

Ed McMahon, Old Naples Association, took issue with Mr. Kant about the noise problem and noted his opinion that the noise problem was impacted by the flight pattern. He suggested that the noise be studied where people live, and not at the end of a runway. He suggested defining in the study what the airport should be--"a big commuter airport or a small private airport and should it be where it is."

ADJOURN: 11:20 a.m.


Edwin J. Putzell, Jr., Mayor


Janet Cason
City Clerk


Ellen P. Weigand
Deputy Clerk

These minutes of the Naples City Council approved 04/16/86

Supplemental Attendance list - Regular Meeting, April 2, 1986

Reverend Robert Fox
 Charles Andrews
 William Tracy
 Sam Boggess
 Joseph Bridges
 Attilio Marconi
 Bruce Kixmiller
 Ed McMahon
 Robert Galloway

Father Thomas Goggin
 David Spencer
 William Barton
 Thomas Peek
 Gilbert Weil
 Robert Forsythe
 John Krueckeberg
 Lloyd Sarty

Jack Miller
 Robert Russell
 Mark Moran
 Dr. Jean Moran
 Mario LaMendola
 Jerry Sealy
 Ed Kant
 Bierne Brown
 Tish Gray

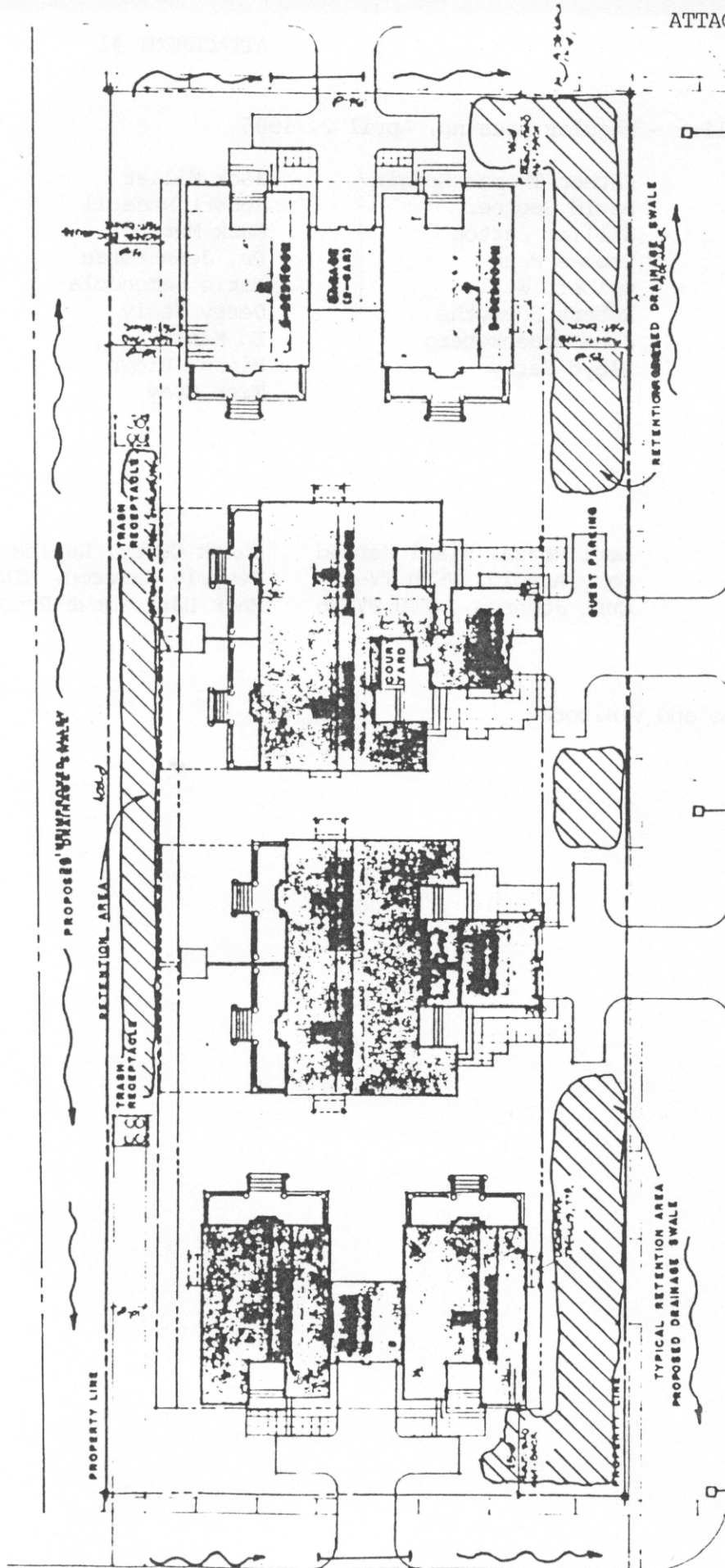
News Media

Jerry Pugh, TV-9
 Hilary Hutchison, TV-9
 Brian Grinonneau, WNOG
 Bob DelBuono, TV-9

Lori Rozsa, Miami Herald
 Gary Arnold, WEVU TV-26
 Curt Johnson, WEVU TV-26

Chuck Curry, Naples Daily News
 Beverly Cameron, WINK TV-11
 Mark Hart, News Press

Other interested citizens and visitors.



9TH AVENUE SOUTH

SITE PLAN

REVISED



7TH STREET SOUTH

TO: Naples City Council

The undersigned have been advised of the contents of Rezone Petition 86-R3 and have no objection to this proposed development to be known as "Hemingway Place".

NAME

ADDRESS

owner of vacant lot corner 9th Ave + 8th St shown by D. Spencer on 3-31-86 to Ms Schwilke

Anna P Rogers

454 6th St S.

Carol Spangler

844 8th St South City

Robert Dewey

750 9th Ave. South

Attilio Marconi

670 9th ave S.

Richard A. Obo

732 8th Ave S.

Ruth Anderson

756 8th Ave So.

Margaret L. Layton

706 8th Ave So.

76

To: Naples City Council

The undersigned have been advised of the contents of Kason's Petition 88-R3 and have no objection to this proposed development to be known as "Hemlock Place".

ADDRESS

NAME

Blank
Janet Cason #3

WATER MANAGEMENT SUMMARY

HEMINGWAY PLACE

WATER MANAGEMENT CATEGORY	PRESENT ZONING	PROPOSED ZONING
<ul style="list-style-type: none"> ■ ON-SITE WATER RETENTION PROVIDED ■ ESTIMATED STORMWATER RUNOFF 3 YEAR, 1 HOUR STORM EVENT ■ ESTIMATED STORMWATER RUNOFF 25 YEAR, 1 HOUR STORM EVENT ■ EXPENSE OF GRADING ROADSIDE SWALE 	<p>NO</p> <p>55,180 GALLONS</p> <p>79,700 GALLONS</p> <p>ACCRUES TO CITY OF NAPLES</p>	<p>YES</p> <p>NONE</p> <p>NONE</p> <p>BORNE BY DEVELOPER</p>

ATTACHMENT #4

March 31, 1986

Members of City Council
City of Naples
Naples, Floirda

Dear Council Members:

A long-planned vacation makes another appearance before the council impossible on Wednesday, April 2, 1986.

I wish to reiterate my objections along with my wife's to the requested zoning change for the block of lots fronting on Ninth Avenue South between Seventh and Eighth Streets.

"Planned Unit Development" was added to the various zoning ordinances to allow for imaginative development in certain circumstances. It was intended to upgrade not to increase density. There was no intent, that I know, that "Planned Unit Development" zoning was to be used to acheive maximum density. The request before you requests exactly that. Where is the imaginative planning that puts duplexes in single-family zoning. On second thought, maybe that is really imaginative! Let's do it everywhere including Port Royal, Park Shore and along the beach. Why must we accept every new concept as being right for Naples.

I have attached a copy of my first letter given to each of you at the last meeting. The objectives stated in that latter are still valid.

My request to you is:

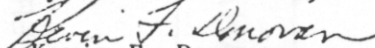
1. Do not accept developer's promises as to proposed changes. Doing this would constitute a new request and should mean further reading.
2. Please vote down this requested change and suggest the developer work with the landowner to create a truly imaginative, innovative plan and re-submit same to the Planning Advisory Board and to the Naples City Council.
3. Please listen to the people directly affected in their lifestyle; those that own and/or live in the immediate area. Having been before the Planning Advisory Board and City Council, I have seen these concerned people appearing in opposition. I have not seen the landowner who stands to benefit appear. Messrs. Spencer, Forsythe, Carr are only agents for a developer who deems it not necessary to appear or even identify himself or themselves.

As an added thought, split votes by the Planning Advisory Board and by your body show this is not universally desired. While it may legally stated that eight units or whatever may be built on this land; you are not denying that privilege to anyone.

Identify any area in Naples if you can where duplexes have been built in single-family zoned areas, even in past zoning ordinances.

It is my hope that you will vote to deny this zoning change and keep this type of change from occurring in the future. Such a course of action will surely result in keeping our city the 'Bit of Heaven' many of us feel it is.

My sincere thanks,



Kevin F. Donovan

809 Tanth Avenue S.

Naples, Florida 33940

To: Naples City Council Members

From: Kevin F. Donovan

Subject: Rezoning on Ninth Avenue South

I wish to place before you my objection to the requested change of zoning for the property fronting on Ninth Avenue South between Seventh Street and Eighth Street.

I object for the following reasons:

- A. Plans submitted show four duplexes consisting of eight units all facing on Ninth Avenue South. In a survey of existing areas, I find the norm is 5 to 6.
- B. Plans submitted show vehicle access on to Ninth Avenue South only. With two cars per unit, this would mean 16 cars accessing in this one block.
- C. Assuming garages for each unit, there would be 160 feet approximately of garage doors fronting Ninth Avenue South. Garage doors are hardly decorative masterpieces. With corner setbacks, there would only be 330 feet of frontage meaning that the 160 feet of garage doors would make up almost 50% of the frontal elevation of the buildings and lots.
- D. Access for trash collection would be on Ninth Avenue South for all eight units; whereas in most all of the contiguous areas trash is partially hidden in alleyways. I know of no deed restrictions and/or regulations which would prevent unseemly conditions from developing.
- E. The reasons for a zoning change are not extenuating, but rather are economic. Are zoning changes and variances to be used for economic relief of developers?
- F. Not too many years ago, a request for a zoning change for the property across the avenue was refused, resulting in the development of four lovely single family homes and one vacant lot available for future development. This normal course of development has produced a very suitable and lovely street.
- G. Approval of this zoning change assures the construction of eight family units on a piece of property that under the normal development pattern in the area might result in the construction of only five or six housing units. The developer is saying he could build eight units. However, it is questionable if he would proceed under such a plan.
- H. Again, just recently the Naples City Council refused a PD zoning. However, may it not be assumed that a developer would come back in the near future and asks for PD zoning throughout the City if this request is approved.
- I. A duplex is a duplex and also a form of multi-family building. Why allow them in an area zoned for residential.

As for other neighbors in the area not objecting to this request; as it was put to them, it was a choice of being hit with a five pound powderpuff or a five pound ball peen hammer.

I feel that encouraging the construction of the maximum number of housing units anywhere in Naples such as this zoning change does is a dubious course of action.

Thank you for your consideration of this matter.





Kim Anderson-McDonald
COUNCILWOMAN

City of Naples

735 EIGHTH STREET, SOUTH · NAPLES, FLORIDA 33940

M E M O R A N D U M

TO: MAYOR AND CITY COUNCIL MEMBERS

FROM: KIM ANDERSON-MC DONALD

SUBJECT: HEMMINGWAY PLACE

DATE: APRIL 1, 1986

On March 20, 1986, at 5:05 p.m., I began visiting the residents in the neighborhood of Seventh Street South and Ninth Avenue South, adjacent to the proposed development referred to as Hemmingway Place. In an effort to make this very succinct as this notice is coming to you late, I will try to keep my comments brief.

At 5:05 p.m. I spoke with Mrs. Clara Belle Fuess at 915 Sixth Street South. Her feeling was that this development would be more appealing and palatable if the garages were put in the back or staggered more appropriately. She further felt that there were too many residences, regardless of the allowance for eight homes in that area of land. However, she does realize that the zoning allows for eight residences, and therefore, is in agreement that you have to go the way the law reads. She said that her compliments should be extended to the designer, Mr. Bob Forsythe, of the project. At 5:08 I met with Mr. Michael Lisob, Jr., at 650 Ninth Avenue South. He has absolutely no objections at all, and said that he was speaking for his father who owns the home who also does not object.

At 5:10 p.m., I spoke with Mr. and Mrs. Marconi at 670 Ninth Avenue South. Their major concern was drainage. They would be very happy with the development if the garages were staggered so that eight did not stare at the front of the development and it could be proved that the drainage has been addressed.

At 5:28 p.m. I visited 706 Eighth Avenue South and there was no one at home.

MEMO
MAYOR & COUNCIL
APRIL 1, 1986
Page 2

At 5:30 p.m. I spoke with a Mr. Rick Olson of 732 Eighth Avenue South, which is property laying directly behind the proposed project. Their greatest concern is the drainage question. If they could see some improvements near where the City's alleyway lay, they would be much in favor of the improvement of the neighborhood. These feelings were echoed by Mr. Joe Cant, also of Eighth Avenue South, one house down from Mr. Olson. He suggested the use of staggering the garages and putting them front and back.

I later spoke with the developer at John R. Wood and Associates and gave them the responses I had had from the property owners in the neighborhood. I have reviewed the newly submitted blueprints and was greatly impressed with their efforts to compromise and cooperate with the property owners.

Kim Anderson-McDonald



AGENDA ITEM #7-C
4/2/86

City of Naples

--- MEMO ---

TO: Honorable Mayor and Members of the City Council

FROM: Franklin C. Jones, City Manager

SUBJECT: Alley Vacation Petition 86-AV1
 Petitioner: Mark Moran, Pres., Stay L, Inc.

DATE: March 24, 1986

Background:

The petitioner is requesting the city to vacate an existing 15 foot by 150 foot alley located northeast of 1st Avenue South and 8th Street. The petitioner owns the Sea Shell Motel on the east side of the alley and a vacant "O"-Office zoned lot on the west side of the alley.

The petitioner has submitted a site plan indicating the type of development he wishes to put on the vacant lot. The submitted plan shows parking on the east side of the property, which takes access from the subject alley. Direct access like this is not permitted by the zoning ordinance, which requires that both the parking and the access be provided on-site. Hence, the need to vacate the alley.

PAB Recommendation

The PAB held a public hearing on this petition at its meeting on March 6, 1986 and recommended approval, with the understanding that a utility and public access easement be granted to the city in lieu of the public alley.

City Council Action:

Section 20-54 of the Municipal Code states in part that ...
 "the City Council may, by resolution, approve said vacation if it is determined that there is no present necessity, or reasonably foreseeable necessity, for the retention of same; and that the right to convenient access of adjoining property owners will not be affected thereby."

TO: Honorable Mayor and City Council
FROM: Franklin C. Jones, C.M.
SUBJ: Alley Vacation Petition 36-AV1

Page 2.
ATTACHMENT #7 - page 2

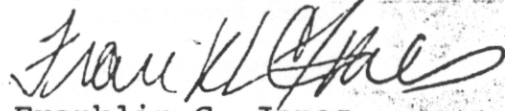
125

If it is the concensus of the City Council to vacate the subject alley, there are at least two considerations to keep in mind:

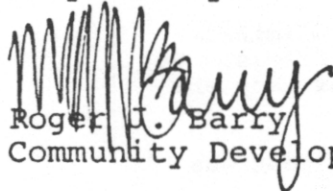
1. A vacation may not be "conditioned" - a street or alley is either "vacated" or it is not. The City Council should obtain the recommended easements in favor of the city prior to the actual vacation.
2. The city is normally compensated in conjunction with alley vacations, and the petitioner should meet with the City Attorney to discuss an appropriate amount in this case.

If the City Council is in favor of granting this vacation request, we suggest that they indicate same by a concensus vote and that they take final action at a subsequent meeting after the above-noted matters/issues are resolved.

Respectfully submitted,


Franklin C. Jones
City Manager

Prepared by:


Roger J. Barry
Community Development Director



City of Naples

--- MEMO ---

TO: Honorable Mayor and the Members of the City Council

FROM: Franklin C. Jones, City Manager

SUBJECT: Preliminary & Final Subdivision Plat 86-SD1 for KASOTA 3rd.

John Krueckeberg, Petitioner

DATE: March 25, 1986

Background:

The petitioner proposes to create a four (4) lot subdivision for a three unit multifamily residential project, nearing completion, at the southeast corner of 3rd Street South and 2nd Avenue South. Each unit is proposed to be sold with a parcel of land under the footprint of the unit, and the fourth lot would be the balance of the property which is to be held in common ownership.

PAB Recommendation:

The PAB held a public hearing on this petition at its meeting on March 6, 1986 and recommended approval, subject to the conditions noted in the staff report.

As of this writing, we have not received a revised preliminary and final plat map incorporating the recommended conditions. We will provide these maps to the City Council as soon as they are available.

The map that is attached to this memo is the same map that was reviewed by the PAB.

Staff Recommendation:

If the properly revised plans are submitted, we recommend that they be approved as presented. If revised plans are not submitted, we recommend approval of the preliminary plat only, subject to the conditions listed in the staff report.

Respectfully submitted,

Franklin C. Jones
 Franklin C. Jones
 City Manager

Prepared by:

Roger J. Barry
 Roger J. Barry
 Community Development Director



City of Naples

--- MEMO ---

TO: MAYOR AND CITY COUNCIL MEMBERS
NAPLES AIRPORT AUTHORITY

FROM: LYLE S. RICHARDSON, VICE-MAYOR

DATE: APRIL 1, 1986

SUBJECT: NAPLES AIRPORT STUDY

The program to study Airport problems and future siting seems to be progressing at a rapid pace, but we have to face the current situation as well.

It would seem appropriate that at the present time, we, the Council, instruct the Airport Authority to place a moratorium on any expenditures of a capital nature. I would suggest that this be in place until such time as we have come to some definitive decisions on the future of the airport. To further define capital expenditures, I mean such things as lengthening of runways, new buildings such as hangars, etc., roadways or whatever.

I understand that the Mosquito Control District is in the process of moving at the request of the Airport Authority. Rather than spending public funds that might be uncalled for, I suggest that this project also be put on hold until we are able to come to some conclusion.

Obviously, this moratorium would not preclude "normal maintenance" but would include new or expanded facilities. As this is an item of urgency, I suggest we act on it post haste.