



# City of Naples

City Council Minutes

Regular Meeting 08/19/87

City Council Chambers  
735 Eighth Street South  
Naples, Florida 33940

| -SUBJECT-  | Ord.<br>No. | Res.<br>No. | Page  |
|--|-------------|-------------|-------|
| <u>ANNOUNCEMENTS:</u>  |             |             |       |
| Mayor Putzell: None.   |             |             |       |
| City Manager Jones: None.  |             |             | 1     |
| <u>APPROVAL OF MINUTES:</u> July 15, 1987, Neighborhood Town Meeting   |             |             |       |
| July 29, 1987, Workshop Meeting  |             |             |       |
| August 5, 1987, Regular Meeting  |             |             | 1     |
| <u>PURCHASING:</u>   |             |             |       |
| -APPROVE change order for sod, Community Services Department.  |             | 87-5336     | 2     |
| <u>RESOLUTIONS:</u>  |             |             |       |
| -APPROVE CCSL variance to construct an artificial dune,<br>20 Fifth Avenue, South.   |             | 87-5337     | 2-3   |
| -APPROVE CCSL variance to construct a patio and erect an arbor<br>above it, 25 Fifth Avenue, South.                                  |             | 87-5338     | 3     |
| -APPROVE vacation of a portion of Bay Road, Donahue.   |             | 87-5342     | 5-6   |
| -AFFIRM the decision of staff and the Planning Advisory Board in<br>conjunction with R. Joseph Herms' administrative appeal.         |             | 87-5343     | 6-7   |
| -DENY development plan for a lifecare facility, Park Shore Drive<br>and Crayton Road.  |             | 87-_____    | 7-8   |
| -APPROVE conditional use permit for a new convenience store with<br>gasoline pump, U.S. 41 and 26th Avenue, North.                   |             | 87-5344     | 8     |
| -APPROVE amendment to development plan, U.S. 41 between Park Shore<br>Drive and Fountainhead Lane.                                   |             | 87-5345     | 9     |
| -APPROVE conditional use permit for construction of a tennis court.  |             | 87-5346     | 9     |
| -APPROVE variance to permit existing trolleys, 1601 Gordon Drive.  |             | 87-5347     | 10    |
| -APPROVE variance to permit addition of a second-floor guest (loft)<br>area, 528 21st Avenue, South.                                 |             | 87-5348     | 10    |
| -APPROVE subdivision plat, Park Shore Villas, Phase II.  |             | 87-5349     | 10-11 |
| -AUTHORIZE purchase of computer equipment for the Finance Department.  |             | 87-5350     | 12-13 |
| <u>ORDINANCES - FIRST READING:</u>   |             |             |       |
| -APPROVE amendment of Section 1A-27 and 1A-28 and repealing 1A-29,<br>transferring Equipment Management to the Utilities Department. | 87-_____    |             | 12    |
| <u>ORDINANCES - Second Reading:</u>  |             |             |       |
| -ADOPT prohibition of parking on Vedado Way, Via Miramar and 12th<br>Avenue, South at certain times.                                 | 87-5339     |             | 4     |
| -ADOPT method for levying surcharges to water/sewer consumers outside<br>the City's boundaries.                                      | 87-5340     |             | 4     |
| -ADOPT approval of limiting the number of horse-drawn carriages and<br>pedicabs in the City.   | 87-5341     |             | 4-5   |
| <u>DISCUSSION/ACTION:</u>  |             |             |       |
| -APPROVE Planning Advisory Board Resolution 87-1 requesting the<br>implementation of certain R/UDAT recommendations.                 |             |             | 11    |
| -TABLE action on Mr. Norman Walters' (Walters Roofing) competency<br>card.   |             |             | 13    |

City Council Chambers  
735 Eighth Street South  
Naples, Florida 33940



Time 9:00 a.m.

Date 08/19/87

Mayor Putzell called the meeting to order and presided as Chairman:

| COUNCIL MEMBERS  | M<br>O<br>T<br>I<br>O<br>N | S<br>E<br>C<br>O<br>N<br>D | VOTE        |        | A<br>B<br>S<br>E<br>N<br>T |
|--|----------------------------|----------------------------|-------------|--------|----------------------------|
|  |                            |                            | Y<br>E<br>S | N<br>O |                            |
| <p><u>ROLL CALL:</u> Present: Edwin J. Putzell, Jr., <u>ITEM 2</u><br/>Mayor</p> <p>Kim Anderson-McDonald<br/>William E. Barnett<br/>Alden R. Crawford, Jr.<br/>John T. Graver<br/>Lyle S. Richardson<br/>Councilmen</p> <p>Absent: William F. Bledsoe<br/>Councilman</p> <p>Also Present:</p> <p>Franklin C. Jones, City Manager<br/>David W. Rynders, City Attorney<br/>Mark W. Wiltsie, Assistant City Manager<br/>Gerald L. Gronvold, City Engineer<br/>George Vukobratovich, Recreation Supervisor<br/>Trish Thompson, Planner II<br/>Jodie M. O'Driscoll, Deputy Clerk</p> <p>Christopher L. Holley, Community Services Dir.<br/>Roger J. Barry, Community Devlpmt. Dir.<br/>Stewart K. Unangst, Purchasing Agent<br/>James L. Chaffee, Utilities Director<br/>Steven R. Ball, Chief Planner<br/>Ann Walker, Planner I<br/>George Henderson, Sergeant-At-Arms</p> <p>See Supplemental Attendance List - Attachment #1.</p> <p>***</p> <p><u>INVOCATION:</u> Fr. Thomas Goggin, St. Ann R.C. Church <u>ITEM 1</u></p> <p>***</p> <p><u>ANNOUNCEMENTS</u> <u>ITEM 3</u></p> <p><u>MAYOR PUTZELL:</u> None.</p> <p><u>CITY MANAGER JONES:</u> None.</p> <p>***</p> <p>-----CONSENT AGENDA-----</p> <p><u>APPROVAL OF MINUTES</u> <u>ITEM 4</u></p> <p>July 15, 1987, Neighborhood Town Meeting<br/>July 29, 1987, Workshop Meeting<br/>August 5, 1987, Regular Meeting</p> <p>***</p> |                            |                            |             |        |                            |

| COUNCIL MEMBERS   | M<br>O<br>T<br>I<br>O<br>N | S<br>E<br>C<br>O<br>N<br>D | VOTE        |        | A<br>B<br>S<br>E<br>N<br>T |
|---|----------------------------|----------------------------|-------------|--------|----------------------------|
|   |                            |                            | Y<br>E<br>S | N<br>O |                            |
| <p><u>PURCHASING</u> <span style="float: right;"><u>ITEM 5</u></span></p> <p>---RESOLUTION NO. 87-5336</p> <p>A RESOLUTION AUTHORIZING THE ISSUANCE OF A CHANGE ORDER IN EXCESS OF \$7,500.00 TO RAE'S SOD, NAPLES, FLORIDA, IN CONJUNCTION WITH THE COMMUNITY SERVICES DEPARTMENT "SOD" ANNUAL CONTRACT; AND PROVIDING AN EFFECTIVE DATE.</p> <p style="padding-left: 40px;">\$13,832-Change Order Amount<br/>Rae's Sod<br/>Naples, Florida</p> <p>Title not read.</p> <p><b>MOTION:</b> To <u>APPROVE</u> the Consent Agenda as presented.</p> <p>*** <span style="margin-left: 150px;">***</span> <span style="margin-left: 150px;">***</span></p> <p style="text-align: center;">-----END CONSENT AGENDA-----</p> <p style="text-align: center;">---ADVERTISED PUBLIC HEARINGS---</p> <p>---RESOLUTION NO. 87-5337 <span style="float: right;"><u>ITEM 6</u></span></p> <p>A RESOLUTION GRANTING A VARIANCE FROM THE CITY'S MOST RESTRICTIVE COASTAL CONSTRUCTION SETBACK LINE TO CONSTRUCT AN ARTIFICIAL DUNE, USING A SANDBAG CORE, AND REVEGETATION OF THE DUNE WITH SEA OATS, LOCATED SEAWARD OF THE COASTAL CONSTRUCTION SETBACK LINE AT 20 FIFTH AVENUE SOUTH, SUBJECT TO THE CONDITIONS SET FORTH HEREIN; AND PROVIDING AN EFFECTIVE DATE.</p> <p>Title read by City Attorney Rynders.</p> <p><b>PUBLIC HEARING:</b> Opened: 9:07 a.m.<br/>Closed: 9:15 a.m.</p> <p>City Engineer Gronvold advised that the petitioner's property had suffered considerable damage from a tropical storm in 1985. The owner was now proposing to construct an artificial dune with vegetation to repair some of that damage.</p> <p>Mayor Putzell asked for clarification regarding the construction of the artificial dune and Mr. Gronvold explained that it would contain a sand-bag core with the rest of the sand being mixed with cement. Mr. Q. Grady Minor, representing the petitioner, said the mixture would be 5% cement. Mrs. Anderson-McDonald observed that the sand material must also be compatible with beach sand and should have the Natural Resources Manager's approval. She also suggested that the resolution provide for the property owner to underwrite reconstruction in the event of a major storm, and that maintenance of the reconstructed dune be the sole responsibility of the current and any future property owners. City Attorney Rynders assured her that private property owners are charged with this responsibility.</p> |                            |                            |             |        |                            |
| Anderson-McDonald   |                            |                            |             | X      |                            |
| Barnett   |                            | X                          |             | X      |                            |
| Bledsoe   |                            |                            |             |        | X                          |
| Crawford  |                            |                            |             | X      |                            |
| Graver  | X                          |                            |             | X      |                            |
| Richardson  |                            |                            |             | X      |                            |
| Putzell   |                            |                            |             | X      |                            |
| (6-0)   |                            |                            |             |        |                            |

In response to Mr. Graver, Mr. Minor explained that the dune would be placed approximately one foot east of the property line and that the petitioner would like for the snow fence to be permanent if it was the sense of the group. If not, it would be removed once the vegetation has stabilized. Mr. Gronvold said that he was not aware that the property owner wished to make the fence permanent, and Mrs. Anderson-McDonald said that the fence should only remain until the sea oats mature.

Mr. Bruce Holly, Jr., Collier County resident, suggested that such a fence might inhibit movement of loggerhead turtles and it therefore was the consensus of Council to direct the Natural Resources Manager, Dr. Jon Staiger, to study this particular aspect.

MOTION: To APPROVE the resolution with the stipulation that the maintenance and upkeep of the dune is the sole responsibility of the current and future property owners.

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---RESOLUTION NO. 87-5338

ITEM 7

A RESOLUTION GRANTING A VARIANCE FROM THE CITY'S MOST RESTRICTIVE COASTAL CONSTRUCTION SETBACK LINE TO CONSTRUCT A PATIO AND ERECT A WOODEN ARBOR ABOVE IT, PARTIALLY SEAWARD OF THE CITY'S MOST RESTRICTIVE SETBACK LINE AT 25 FIFTH AVENUE SOUTH, SUBJECT TO THE CONDITION SET FORTH HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

PUBLIC HEARING: Opened: 9:17 a.m.  
Closed: 9:18 a.m.

City Engineer Gronvold stated that staff had reviewed the request and recommended approval and that the property to the south has a structure which actually extends farther beyond the Coastal Construction Setback Line (CCSL) than this. Mr. Dan Avery of Smallwood Landscaping, representing the petitioner, said that the design allowed usable outdoor living space without significantly impacting the beach.

Mr. Graver asked what effects a storm surge would have and Mr. Gronvold replied that the area to the west of the construction would take the brunt of it. Mr. Richardson called Council's attention to the City Manager and Natural Resources Manager's conclusions that the patio and arbor would not preclude beach erosion.

Although Council expressed concern that approval of this request might set a precedent, City Attorney Rynders reviewed the CCSL standards which are enumerated in the Code and said that these recommendations are being so determined.

MOTION: To APPROVE the resolution as presented.

| COUNCIL MEMBERS   | MOTION | S E C O N D | VOTE  |     | A B S E N T |
|-------------------|--------|-------------|-------|-----|-------------|
|                   |        |             | Y E S | N O |             |
| Anderson-McDonald |        | X           | X     |     |             |
| Barnett           |        |             |       | X   |             |
| Bledsoe           |        |             |       |     | X           |
| Crawford          |        |             |       | X   |             |
| Graver            |        |             |       | X   |             |
| Richardson        | X      |             |       | X   |             |
| Putzell           |        |             |       | X   |             |
| (6-0)             |        |             |       |     |             |
| Anderson-McDonald | X      |             | X     |     |             |
| Barnett           |        | X           | X     |     |             |
| Bledsoe           |        |             |       |     | X           |
| Crawford          |        |             | X     |     |             |
| Graver            |        |             | X     |     |             |
| Richardson        |        |             | X     |     |             |
| Putzell           |        |             | X     |     |             |
| (6-0)             |        |             |       |     |             |

COUNCIL  
MEMBERS

|                            |                            |             |        |                            |
|----------------------------|----------------------------|-------------|--------|----------------------------|
| M<br>O<br>T<br>I<br>O<br>N | S<br>E<br>C<br>O<br>N<br>D | VOTE        |        | A<br>B<br>S<br>E<br>N<br>T |
|                            |                            | Y<br>E<br>S | N<br>O |                            |

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-----SECOND READING OF ORDINANCES-----

ITEM 8

---ORDINANCE NO. 87-5339                                       Item 8-a

AN ORDINANCE AMENDING SECTION 23-9 (1) OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES, PROHIBITING PARKING ON VEDADO WAY, VIA MIRAMAR AND 12TH AVENUE SOUTH AT CERTAIN TIMES; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

PUBLIC HEARING: Opened: 9:23 a.m.  
Closed: 9:24 a.m.

Mr. Bruce Holly, Jr., Collier County resident, opposed closing these beach entrances at night, but Mayor Putzell pointed out that there are now parking restrictions at the others and that there is off-street parking on some side streets.

MOTION: To ADOPT the ordinance as presented at second reading.

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

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---ORDINANCE NO. 87-5340                                       Item 8-b

AN ORDINANCE ELECTING A METHOD FOR LEVYING RATES, FEES AND CHARGES FOR WATER AND SEWER SERVICES TO CONSUMERS OUTSIDE THE BOUNDARIES OF THE CITY OF NAPLES UNDER CHAPTER 180, FLORIDA STATUTES; ESTABLISHING A SURCHARGE TO BE ADDED TO THE RATES, FEES AND CHARGES LEVIED BY THE CITY OF NAPLES FOR WATER OR SEWER SERVICES TO CONSUMERS OUTSIDE THE CITY; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

PUBLIC HEARING: Opened: 9:25 a.m.  
Closed: 9:25 a.m.

No one present to speak for or against.

MOTION: To ADOPT the ordinance as presented at second reading.

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

\*\*\*                                       \*\*\*                                       \*\*\*

---ORDINANCE NO. 87-5341                                       Item 8-c

AN ORDINANCE RELATIVE TO THE APPROVAL OF FRANCHISE AGREEMENTS FOR THE OPERATION OF PEDICABS AND HORSE-DRAWN CARRIAGES IN THE CITY OF NAPLES; LIMITING THE NUMBER OF PEDICABS AND HORSE-DRAWN CARRIAGES IN OPERATION AT ANY ONE TIME TO TWO (2) PEDICABS AND FOUR (4) HORSE-DRAWN CARRIAGES; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

| COUNCIL MEMBERS  | M<br>O<br>T<br>I<br>O<br>N | S<br>E<br>C<br>O<br>N<br>D | VOTE        |        | A<br>B<br>S<br>E<br>N<br>T |
|--|----------------------------|----------------------------|-------------|--------|----------------------------|
|  |                            |                            | Y<br>E<br>S | N<br>O |                            |
| PUBLIC HEARING: Opened: 9:29 a.m.<br>Closed: 9:38 a.m.   |                            |                            |             |        |                            |
| City Attorney Rynders pointed out that this ordinance would merely set a cap on the total horse-drawn carriages which the City could permit. If the amount of carriages were increased, he said, and the City received more applications, it would then have to deliberate as to whom to award the extra carriage. In response to Mr. Graver, City Attorney Rynders also stressed that now was the time for the Council to request interest in expanding the allowable number of horse-drawn carriages.  |                            |                            |             |        |                            |
| Ms. Deborah Ferruccio, representing Naples Horse & Carriage Company, said she felt her firm presented a convincing argument to operate one or two more "special reservation" carriages. Mr. Barnett asked her if she recommended that carriages be considered separately from pedicabs. Mayor Putzell pointed out that each was described in separate sections, preventing reflection upon one another. Mayor Putzell, however, expressed concern about carriage safety, but Mr. Graver said that the Police Department and Assistant City Manager Wiltsie had both assured him that no safety or traffic violations had occurred to date. |                            |                            |             |        |                            |
| In order for Naples Horse and Carriage to receive an additional carriage, City Attorney Rynders said, the operator must request an addendum to the franchise agreement. Mr. Crawford asked when it would expire, and the City Attorney stated that the City could cancel the franchise upon 30 days notice.  |                            |                            |             |        |                            |
| MOTION: To ADOPT the ordinance at second reading increasing the number of horse-drawn carriages from four to five.   |                            |                            |             |        |                            |
| ***  |                            |                            |             |        |                            |
| -----END ADVERTISED PUBLIC HEARINGS-----   |                            |                            |             |        |                            |
| <u>COMMUNITY DEVELOPMENT DEPARTMENT/NAPLES PLANNING ADVISORY</u>   |                            |                            |             |        |                            |
| ---RESOLUTION NO. 87-5342  |                            |                            |             |        |                            |
| ITEM 9   |                            |                            |             |        |                            |
| A RESOLUTION VACATING AND ABANDONING A PORTION OF BAY ROAD LYING AND BEING WEST OF THE WESTERLY RIGHT-OF-WAY LINE OF GORDON DRIVE, SUBJECT TO THE CONDITION SET FORTH HEREIN; AND PROVIDING AN EFFECTIVE DATE.   |                            |                            |             |        |                            |
| Title read by City Attorney Rynders.   |                            |                            |             |        |                            |
| PUBLIC HEARING: Opened: 9:40 a.m.<br>Closed: 9:43 a.m.   |                            |                            |             |        |                            |
| City Attorney Rynders confirmed that the City had received \$12,054.20 as compensation for the surrender of public rights to this portion of Bay Road and noted that Council had previously indicated their concurrence with this request.   |                            |                            |             |        |                            |
| Anderson-McDonald  | X                          |                            | X           |        |                            |
| Barnett  |                            | X                          | X           |        | X                          |
| Bledsoe  |                            |                            |             | X      |                            |
| Crawford   |                            |                            | X           |        |                            |
| Graver   |                            |                            | X           |        |                            |
| Richardson   |                            |                            | X           |        |                            |
| Putzell  |                            |                            | X           |        |                            |
| (6-0)  |                            |                            |             |        |                            |

COUNCIL MEMBERS

| M<br>O<br>T<br>I<br>O<br>N | S<br>E<br>C<br>O<br>N<br>D | VOTE        |        | A<br>B<br>S<br>E<br>N<br>T |
|----------------------------|----------------------------|-------------|--------|----------------------------|
|                            |                            | Y<br>E<br>S | N<br>O |                            |

Mr. Graver expressed reservations, however, as this was the only access in that area to the beach. He said there could be a problem getting to the beach to repair storm damage, but City Attorney Rynders pointed out that public health, safety and welfare requirements allow the use of any property as needed.

Mr. Richardson observed that Bay Road actually does not extend to the beach and the City Attorney pointed out that it would be extremely costly to acquire enough additional land for public beach access at that point.

**MOTION:** To APPROVE the resolution as presented.

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---RESOLUTION NO. 87-5343

ITEM 10

A RESOLUTION AFFIRMING THE DECISION OF THE CITY STAFF AND PLANNING ADVISORY BOARD IN CONNECTION WITH THE ADMINISTRATIVE APPEAL BY R. JOSEPH HERMS REQUIRING A GENERAL DEVELOPMENT AND SITE PLAN FOR REUSE OF THE FORMER TRAIL BUILDERS BUSINESS PROPERTY AT THE NORTHEAST CORNER OF FIRST AVENUE SOUTH AND 12TH STREET, SUBJECT TO THE CONDITIONS SET FORTH IN THE MEMORANDUM FROM ROGER J. BARRY, COMMUNITY DEVELOPMENT DIRECTOR, DATED JULY 6, 1987, ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

Community Development Director Barry noted that the subject property is southeast of First Avenue, South and 12th Street, South. The Council had previously directed the petitioner to submit a General Development and Site Plan (GDSP) to the Planning Division for review which, after careful consideration, had recommended approval with certain conditions.

Mr. R. Joseph Herms, petitioner, said he, however, disagreed with the Planning Advisory Board's (PAB) decision and did not believe the landscaping and fence requirements were necessary. Mr. Herms argued that the fence requirements stipulated by the staff are not delineated in Appendix "A" - Zoning, Section 14.

Mayor Futzell asked if he accepted all of the PAB's conditions for a GDSP and Mr. Herms advised that he did.

Mr. Barry referred to Section M of the memo to File GDSP 87-3 (Attachment #2) which provides two alternatives for access to 12th Street, South, and Goodlette-Frank Road. Staff expressed concern that too many accesses would provide thoroughfares from Central to Goodlette. Mayor Futzell referred to the accesses requested by the petitioner and asked if he would be satisfied with the two recommended by the PAB. Mr. Herms, however, said that this would not be acceptable to him.

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

|  |   |   |  |   |
|--|---|---|--|---|
|  |   |   |  |   |
|  | X | X |  |   |
|  |   | X |  | X |
|  |   | X |  |   |
|  |   | X |  |   |
|  |   | X |  |   |

Mayor Putzell suggested that Mr. Herms discuss his disagreements with the City Engineer and Planning staff in an attempt to compromise before Council makes a decision, but Mr. Herms insisted upon a determination from Council at this meeting.

Mr. Crawford moved that Council affirm the decision of both staff and the FAB, pursuant to the conditions outlined by them, including the requirement for the fence and approve the GSDP with those conditions. Mrs. Anderson-McDonald seconded.

In response to Mr. Graver, Mr. Herms called the staff's requirement for landscaping excessive because of a required planter area at the southern portion of the building in front of a garage door. Mr. Barry, however, said that it had been staff's contention too many garage doors and driveways were on the site.

Mrs. Anderson-McDonald expressed reservations in taking action at the present time. Mr. Barry also recommended that the item be tabled and that Mr. Herms submit a revised site plan clearly delineating the conditions mentioned in the FAB and staff reports. Councilmen Crawford and Anderson-McDonald then withdrew their motion and second, respectively, in order to table the item until Mr. Herms could submit an acceptable site plan with the aforementioned conditions.

Mr. Herms again insisted that the Council take final action at this meeting, but Mayor Putzell reminded him that such action would either sustain or overrule the staff and FAB's recommendations.

Mrs. Anderson-McDonald asked if staff was satisfied with the present plans and Mr. Barry said it was not. Mayor Putzell suggested that Mr. Herms help staff clarify the plans and come back to Council with the final product, but Mr. Herms reiterated his request that Council make a final decision at this meeting.

Mr. Crawford moved to affirm the decision of the City staff and FAB with the aforementioned conditions and the additional requirements of staff, including fence and landscaping. Mr. Richardson seconded.

MOTION: To AFFIRM the decision of the City staff and Planning Advisory Board in conjunction with Mr. R. Joseph Herms' administrative appeal.

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---RESOLUTION NO. 87--- ITEM 11

A RESOLUTION APPROVING AN AMENDMENT TO A PREVIOUSLY APPROVED DEVELOPMENT PLAN FOR PROPERTY LOCATED AT PARK SHORE DRIVE AND CRAYTON ROAD, SOUTHEAST OF ST. JOHN'S CHURCH; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

| COUNCIL MEMBERS   | MOTION | S E C O N D | VOTE  |     | A B S E N T |
|-------------------|--------|-------------|-------|-----|-------------|
|                   |        |             | Y E S | N O |             |
| Anderson-McDonald |        |             | X     |     |             |
| Barnett           |        |             | X     |     |             |
| Bledsoe           |        |             |       |     | X           |
| Crawford          | X      |             | X     |     |             |
| Graver            |        |             | X     |     |             |
| Richardson        |        |             | X     |     |             |
| Putzell           |        | X           | X     |     |             |
| (6-0)             |        |             | X     |     |             |



Community Development Director Barry said that the petitioner was requesting approval to develop a residential/lifecare facility on the site; however, both the staff and Planning Advisory Board (PAB) recommend denial. He said that there had now been a request by Attorney George Varnadoe to continue this item.

Mr. Richardson said that as a result of the petitioner's in-depth presentation to the PAB, the City has received a tremendous amount of letters in opposition to the facility.

Mr. Graver said that he, too, had attended the PAB meeting and agreed that while the concept was excellent, a facility such as this should be in a more commercial area.

Mayor Putzell expressed disappointment that such a facility was not available here, but given the location and environment, he also recommended denial of the request.

MOTION: To DENY the resolution as presented.

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--RESOLUTION NO. 87-5344

ITEM 12

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO ALLOW THE REMOVAL OF AN EXISTING SERVICE STATION FACILITY AND THE CONSTRUCTION OF A NEW CONVENIENCE STORE WITH A GASOLINE PUMP ISLAND AT THE NORTHEAST CORNER OF ROUTE 41 AND 26TH AVENUE NORTH, SUBJECT TO THE CONDITIONS SET FORTH HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

Community Development Director Barry said that the petitioner anticipated removing the present facility and, after considerable modification, the project would meet all zoning requirements.

In response to Mr. Crawford, Mr. Barry explained that an ornamental buffer is normally six feet in height as provided for in Appendix "A" - Zoning, Section 6(22).

Mrs. Anderson-McDonald asked about underground improvements to which Mr. Barry replied that the petitioner is required to install all new below ground tanks, approved by the Fire Department.

Council expressed concern about the number of this type of facility which are being constructed on U.S. 41, but Mr. Barry assured Council that the Comprehensive Plan would address this particular issue, among others.

MOTION: To APPROVE the resolution as presented.

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| COUNCIL MEMBERS   | M<br>O<br>T<br>I<br>O<br>N | S<br>E<br>C<br>O<br>N<br>D | VOTE        |        | A<br>B<br>S<br>E<br>N<br>T |
|-------------------|----------------------------|----------------------------|-------------|--------|----------------------------|
|                   |                            |                            | Y<br>E<br>S | N<br>O |                            |
| Anderson-McDonald |                            |                            |             | X      |                            |
| Barnett           |                            |                            |             | X      |                            |
| Bledsoe           |                            |                            |             |        | X                          |
| Crawford          |                            | X                          | X           |        |                            |
| Graver            |                            |                            | X           |        |                            |
| Richardson        | X                          |                            | X           |        |                            |
| Putzell           |                            |                            | X           |        |                            |
| (6-0)             |                            |                            |             |        |                            |
| Anderson-McDonald |                            |                            |             | X      |                            |
| Barnett           |                            | X                          | X           |        |                            |
| Bledsoe           |                            |                            |             |        | X                          |
| Crawford          |                            |                            | X           |        |                            |
| Graver            |                            |                            | X           |        |                            |
| Richardson        | X                          |                            | X           |        |                            |
| Putzell           |                            |                            | X           |        |                            |
| (6-0)             |                            |                            |             |        |                            |

| COUNCIL MEMBERS   | M<br>O<br>T<br>I<br>O<br>N | S<br>E<br>C<br>O<br>N<br>D | VOTE        |        | A<br>B<br>S<br>E<br>N<br>T |
|---|----------------------------|----------------------------|-------------|--------|----------------------------|
|   |                            |                            | Y<br>E<br>S | N<br>O |                            |
| <p>---RESOLUTION NO. 87-5345 <span style="float: right;">ITEM 13</span></p> <p>A RESOLUTION APPROVING AN AMENDMENT TO A PREVIOUSLY APPROVED DEVELOPMENT PLAN FOR PROPERTY LOCATED ON THE EAST SIDE OF BELAIR LANE, WEST OF U.S. 41 BETWEEN PARK SHORE DRIVE AND FOUNTAINHEAD LANE, SUBJECT TO THE CONDITIONS SET FORTH HEREIN; AND PROVIDING AN EFFECTIVE DATE.</p> <p>Title read by City Attorney Rynders.</p> <p>Community Development Director Barry said that although the developer has a previously approved site plan for two-story structures, he is requesting an amendment in order to build one-story villas.</p> <p>Mr. Crawford noted that there was no hedging on the side- or back-yard setback lines, but Mr. Barry pointed out that the petitioner would have to submit a detailed landscaping plan before permits are issued.</p> <p>Mr. Graver asked the purpose of a wall on the east side of the property. Mr. Barry said that it was there because a commercial development was on the east side. A six-foot masonry wall would be installed, he added.</p> <p>Mr. Barry confirmed for Mrs. Anderson-McDonald that Park Shore Villas would be similar in design to those already in the area. She then noted a previous project (Hemingway) which was denied because garage doors faced the street, but Mr. Barry said that the garage doors on these villas would not be visible from the main streets.</p> <p>MOTION: To <u>APPROVE</u> the resolution as presented.</p> <p>*** <span style="margin-left: 150px;">***</span> <span style="margin-left: 150px;">***</span></p> |                            |                            |             |        |                            |
| Anderson-McDonald   |                            |                            |             | X      |                            |
| Barnett   |                            | X                          |             | X      |                            |
| Bledsoe   |                            |                            |             |        | X                          |
| Crawford  |                            |                            | X           |        |                            |
| Graver  |                            |                            | X           |        |                            |
| Richardson  | X                          |                            | X           |        |                            |
| Putzell   |                            |                            | X           |        |                            |
| (6-0)   |                            |                            |             |        |                            |
| <p>---RESOLUTION NO. 87-5346 <span style="float: right;">ITEM 14</span></p> <p>A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO ALLOW CONSTRUCTION OF A TENNIS COURT IN A SINGLE-FAMILY RESIDENTIAL ZONE DISTRICT, MORE PARTICULARLY DESCRIBED HEREIN, SUBJECT TO THE CONDITIONS SET FORTH HEREIN; AND PROVIDING AN EFFECTIVE DATE.</p> <p>Title read by City Attorney Rynders.</p> <p>Community Development Director Barry advised that tennis courts are permitted in residential areas only if certain conditions are met. The petitioner owns three lots, his home being on the easternmost lot, the other two being undeveloped. The tennis courts, Mr. Barry noted, would be centered in the north/south portion of those lots. He further advised that both staff and the FAB recommend approval.</p> <p>MOTION: To <u>APPROVE</u> the resolution as presented.</p> <p>*** <span style="margin-left: 150px;">***</span> <span style="margin-left: 150px;">***</span></p>  |                            |                            |             |        |                            |
| Anderson-McDonald   |                            |                            |             | X      |                            |
| Barnett   |                            | X                          |             | X      |                            |
| Bledsoe   |                            |                            |             |        | X                          |
| Crawford  |                            |                            | X           |        |                            |
| Graver  |                            |                            | X           |        |                            |
| Richardson  | X                          |                            | X           |        |                            |
| Putzell   |                            |                            | X           |        |                            |
| (6-0)   |                            |                            |             |        |                            |

| COUNCIL MEMBERS   | M<br>O<br>T<br>I<br>O<br>N | S<br>E<br>C<br>O<br>N<br>D | VOTE        |        | A<br>B<br>S<br>E<br>N<br>T |
|-------------------|----------------------------|----------------------------|-------------|--------|----------------------------|
|                   |                            |                            | Y<br>E<br>S | N<br>O |                            |
| Anderson-McDonald |                            | X                          | X           |        |                            |
| Barnett           |                            |                            | X           |        |                            |
| Bledsoe           |                            |                            |             |        | X                          |
| Crawford          |                            |                            | X           |        |                            |
| Graver            |                            |                            | X           |        |                            |
| Richardson        | X                          |                            | X           |        |                            |
| Putzell           |                            |                            | X           |        |                            |
| (6-0)             |                            |                            |             |        |                            |
| Anderson-McDonald |                            |                            | X           |        |                            |
| Barnett           |                            | X                          | X           |        |                            |
| Bledsoe           |                            |                            |             |        | X                          |
| Crawford          |                            |                            | X           |        |                            |
| Graver            |                            |                            | X           |        |                            |
| Richardson        | X                          |                            | X           |        |                            |
| Putzell           |                            |                            | X           |        |                            |
| (6-0)             |                            |                            |             |        |                            |

---RESOLUTION NO. 87-5347

ITEM 15

A RESOLUTION GRANTING A VARIANCE FROM SECTION 6-41(A)(2) OF APPENDIX "A", ZONING OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES, IN ORDER TO PERMIT AN EXISTING TRELLIS THAT IS PART OF AN ENTRY GATE OF A SINGLE-FAMILY RESIDENCE AT 1601 GORDON DRIVE, SUBJECT TO THE CONDITION SET FORTH HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

Community Development Director Barry explained that the Code prohibits any structures in setback areas (except fences, gates, and the like) from exceeding six feet in height. The petitioners, however, have built an arched arbor with a trellis. The Planning Advisory Board (PAB) recommended approval, providing the structure maintains horticultural material.

MOTION: To APPROVE the resolution as presented.

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---RESOLUTION NO. 87-5348

ITEM 16

A RESOLUTION GRANTING A VARIANCE FROM SECTION 5.3(F)(2) OF THE ZONING ORDINANCE OF THE CITY OF NAPLES IN ORDER TO PERMIT THE ADDITION OF A SECOND-FLOOR GUEST (LOFT) AREA TO AN EXISTING ONE-STORY RESIDENCE HAVING A 7.5-FOOT SIDE YARD SETBACK, LOCATED AT 628 21st AVENUE SOUTH; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

Community Development Director Barry pointed out that this was an existing residence and the petitioner was requesting approval of a habitable area in the loft space of his house. The roof structure would not change, Mr. Barry assured the Council, and the request had met all requirements.

Attorney Anthony P. Pires, Jr., representing the petitioner, said that there would not be any kitchen or bath facilities in the loft.

MOTION: To APPROVE the resolution as presented.

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---RESOLUTION NO. 87-5349

ITEM 17

A RESOLUTION APPROVING THE PRELIMINARY AND FINAL SUBDIVISION PLAT OF A SUBDIVISION KNOWN AS PARK SHORE VILLAS, PHASE II, LOCATED AT THE NORTHEAST CORNER OF CRAYTON ROAD AND PARK SHORE DRIVE; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

Community Development Director Barry advised that the proposed subdivision plat for the development met with both the staff and Planning Advisory Board's (PAB) approval.

Mr. Crawford noted that the original parcel approval was for a four-story structure and Mr. Barry explained that the owner has had so much success with the villa style, he wished to build more of the same. Council expressed concern that there may be other previously approved structures which can go above present height restrictions, but Mr. Barry advised that such items would be discussed in the Comprehensive Plan by Chief Planner Ball.

Mr. Crawford observed the peculiar configuration of the driveway; Mr. Barry said that this was to accommodate a turn around required by the Fire Department.

**MOTION:** To APPROVE the resolution as presented.

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ITEM 18

PLANNING ADVISORY BOARD RESOLUTION 87-1 REQUESTING THE IMPLEMENTATION OF CERTAIN R/UDAT (REGIONAL/URBAN DESIGN ASSISTANCE TEAM) RECOMMENDATIONS.

Community Development Director Barry advised that the Planning Advisory Board (PAB) had discussed Phase I of the Regional/Urban Development Assistance Team (R/UDAT) study and is now asking for Council support, in the form of approximately \$25,000 from the Capital Improvement Program (CIP), to initiate Phase I, Naples Central Area Study. Mr. Barry explained that the first step would be to establish a system of base maps, aerial photos and a wide variety of base data.

Mr. Hubert Howard, PAB member, commented that this task force would take some of the burden off the planning staff in the future. Staff, he continued, cannot be expected to properly analyze this central core area and still maintain efficiency. It will be necessary therefore to seek experts from the private sector.

Mr. Crawford said he did not believe this was the appropriate area to begin study as U.S. 41 is quickly deteriorating and in desperate need of repair. Mr. Howard said that Council had previously adopted Scenario III which is Phase I of the study and that U.S. 41 was included in Phase I. Mr. Crawford expressed concern that the Fifth Avenue commercial area would grow to extend south of the hospital.

City Manager Jones suggested that Council accept the resolution and then, during the budget processes, determine what changes are needed in the CIP to accommodate it.

It was the consensus of Council to accept the PAB Resolution No. 87-1 as submitted.

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

| COUNCIL MEMBERS   | M<br>O<br>T<br>I<br>O<br>N | S<br>E<br>C<br>O<br>N<br>D | VOTE                                      |        | A<br>B<br>S<br>E<br>N<br>T |
|-------------------|----------------------------|----------------------------|---|--------|----------------------------|
|                   |                            |                            | Y<br>E<br>S                               | N<br>O |                            |
| Anderson-McDonald |                            |                            | X   |        |                            |
| Barnett           |                            |                            | X   |        |                            |
| Bledsoe           |                            |                            |   |        | X                          |
| Crawford          |                            |                            | X   |        |                            |
| Graver            |                            | X                          | X   |        |                            |
| Richardson        |                            | X                          |   |        | X                          |
| Putzell           |                            |                            | X   |        |                            |
| (5-0)             |                            |                            |   |        |                            |
| Anderson-McDonald |                            |                            |   |        |                            |
| Barnett           |                            |                            |   |        |                            |
| Bledsoe           |                            |                            |   |        | X                          |
| Crawford          |                            |                            |   |        |                            |
| Graver            |                            |                            |   |        |                            |
| Richardson        |                            |                            |   |        |                            |
| Putzell           |                            |                            |   |        |                            |
|                   |                            |                            | C<br>O<br>N<br>S<br>E<br>N<br>S<br>U<br>S |        |                            |

| COUNCIL MEMBERS | M<br>O<br>T<br>I<br>O<br>N | S<br>E<br>C<br>O<br>N<br>D | VOTE        |        | A<br>B<br>S<br>E<br>N<br>T |
|-----------------|----------------------------|----------------------------|-------------|--------|----------------------------|
|                 |                            |                            | Y<br>E<br>S | N<br>O |                            |

-----FIRST READINGS-----

---ORDINANCE NO. 87- ITEM 19

AN ORDINANCE AMENDING SECTION 1A-27 AND SECTION 1A-28 AND REPEALING SECTION 1A-29 OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

City Manager Jones noted that at the budget workshops transfer of responsibilities for Equipment Management to the Utilities Director had been discussed. Mr. Richardson asked if this was provided for in the 1987-88 budget year and Mr. Jones confirmed that it was.

MOTION: To APPROVE the ordinance as presented at first reading.

\*\*\* \*\*\* \*\*\*

-----END FIRST READINGS-----

---RESOLUTION NO. 87-5350 ITEM 20

A RESOLUTION AUTHORIZING PURCHASE OF SPECIFIC COMPUTER EQUIPMENT; ACCEPTING THE PROPOSAL OF BARNETT BANK TO FINANCE SAID EQUIPMENT, SUBJECT TO COUNCIL APPROVAL OF A LOAN AND SECURITY AGREEMENT AND SECURED BY A PLEDGE OF CIGARETTE TAX RECEIPTS DUE THE CITY OF NAPLES; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

City Attorney Rynders explained that it would be necessary for the City to subsequently review the final loan and security agreement. The cigarette taxes have been pledged as security for this loan, he said.

City Manager Jones said that during the recent budget discussions, staff advised that it was desirable to upgrade the present computer equipment, and therefore recommended a lease/purchase agreement with Barnett Bank as it was the most cost-effective. Mr. Jones further advised that the loan would be provided for in the General Fund and reimbursed by Data Processing departmental charges.

Mayor Putzell asked if the staff had received competitive bids for the computer equipment and Mr. Jones explained that staff had performed a cost analysis between McDonnell-Douglas and IBM. He pointed out that should the City purchase the IBM computer, it would result in an additional expenditure of \$167,800 for software.

Mayor Putzell then referred to the bank proposal (Attachment #3) which places a lien on the computer equipment. Mr. Jones, however, advised that because the City Attorney objected to such a lien, Barnett Bank agreed to secure the loan with pledged cigarette taxes, instead.

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



SUPPLEMENTAL ATTENDANCE LIST

Hubert Howard  
Q. Grady Minor  
Bruce Holly, Jr.  
Deborah Ferruccio  
Laura Davis-Lehman  
David S. Bennett  
Anthony P. Pires, Jr.  
Herb Anderson  
Red Holland

Richard Anderson  
Alvina Wendt  
Mary Kay Stock  
Anita Thatcher  
Rodney Collins  
Tom Peek  
Ed Beekman  
Gordon Andrews  
Gil Blanquart

Egon Hill  
Jean Martin  
James Nemore  
Rose Collins  
Dan Hebert  
Charles Andrews  
Fr. Goggin  
Alan Korest

Other interested citizens and visitors.

NEWS MEDIA

Marty Bonvechio, Naples Daily News  
Gary Arnold, WEVU-TV  
William Upham, Naples Times

Lori Rosza, Miami Herald  
Robert Rauch, WEVU-TV  
Chris Wallace, Palmer TV-10



# City of Naples

## --- MEMO ---

TO: File GDSP 87-3

FROM: Roger J. Barry  
Community Development Director

SUBJECT: PAB Action of July 2, 1987

DATE: July 6, 1987

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The PAB approved GDSP 87-3 at their July 2, 1987 meeting subject to the following conditions:

1. The Utilities Department recommended approval with the condition that the automotive service areas and bays must comply with City Ordinance requirements relative to providing a collector system for waste materials prior to permitting them to enter the City's sanitary sewer system.
2. The Police Department recommended approval with the condition that the (northernmost) driveway be redesigned with sufficient offset and controls to discourage its use as a thoroughfare (see Engineering Department conditions of approval).
3. The Building Official noted that the floor elevation of the existing building area must be 9.0' N.G.V.D. if the value of the improvements to the existing building equal or exceed 50% of the market value of the structure before any construction is started.
4. There is no location shown for the required trash enclosure. If a dumpster is to be used, the location must be approved by the Sanitation Division and a dumpster enclosure provided.
5. The subject site must be landscaped in accordance with current City codes, with a landscape plan submitted and approved prior to the issuance of any City permits. For purposes of this requirement, the frontage on 12th Street will be considered as a front yard and the other property lines will be considered as side yards. The required interior landscaping must be "located in such a manner as to divide and break up the expanse of paving" (parking area).
6. There is no indication on the submitted plans of the height of the proposed "wire fence" to be located on portions of the west property line. Fences in front yard setback areas in "I" districts are limited to 3' in height. At least half of the required landscaping on 12th Street (west of property line) should be provided on the street side of the proposed fencing shown on the submitted site plan. If the petitioner chooses to add security fencing that would extend south from the SW corner of the subject building and east from the NE corner, such security fencing may be 6 feet in height.



To: File GDSP 87-3  
From: R.J. Barry  
Subj: PAB Action 7/2/87

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7/6/87

7. The proposed driveways and the required sidewalks on 12th Street (noted in the following Engineering Department requirements) should meet current zoning requirements.
8. The Engineering Department required the following:
  - A. Plan(s)/specifications signed and sealed by a registered engineer showing required improvements within City rights-of-way including the following item Numbers 2, 3, 4 and 7 need to be submitted for approval (Per City Code, Section 19-10 and 19-11) prior to issuance of any City permits.
  - B. Sidewalks are required within the 12th Street right-of-way along the property line where none exist.
  - C. Required concrete sidewalks within the right-of-way are to be carried thru proposed driveways so that the proposed sidewalk is one continuous surface. Depth of concrete sidewalks at these driveways is to be six inches (6") with wire mesh as per City Code, Section 19-1(d).
  - D. Back of sidewalk elevation for required sidewalks along 12th Street need to be designed to conform with engineering Department "Recommended Criteria on Cross Section Elements for Local and Collector Streets." See attached sheet No. 3 of 4.
  - E. Swale/sod is required between the sidewalk and the existing pavement within the 12th Street right-of-way; i.e. driveway culvert(s) are not allowed.
  - F. The proposed northern two driveways off 12th Street violate City Code, Appendix A, Section 6.9(B) and must be revised. (See attached sheet No. 4 of 4.)
  - G. Along 12th Street proposed elevations for the driveway(s) swale(s) and for the proposed sodded swale between the required sidewalk and the edge of street pavement of 12th Street need to be designed to conform with Engineering Department "Recommended Criteria on Cross Section Elements for Local and Collector Streets." See attached sheet No. 3 of 4.
  - H. An on site water management plan and calculations signed and sealed by a registered professional engineer and approved by the Collier County Water Management Department are required for review and approval. Prior to certificate of occupancy a certification by a registered engineer that the work has been completed satisfactorily in accordance with the approved plan(s)/specifications is required.
  - I. A traffic signing and marking plan, signed and sealed by a registered professional engineer or architect must be submitted for review and approval prior to any City permits being issued.
  - J. All traffic control devices including signs and pavement markings shall conform to the uniform system of traffic control devices adopted by the Department of Transportation pursuant to Florida Statutes, Section 316.0747. The Manual on Uniform Traffic Control Devices (MUTCD) published by the U. S. Department of Transportation is the national standard for traffic control devices. The Florida Department of Transportation has adopted the MUTCD as the State standard by rule 14-15.10.

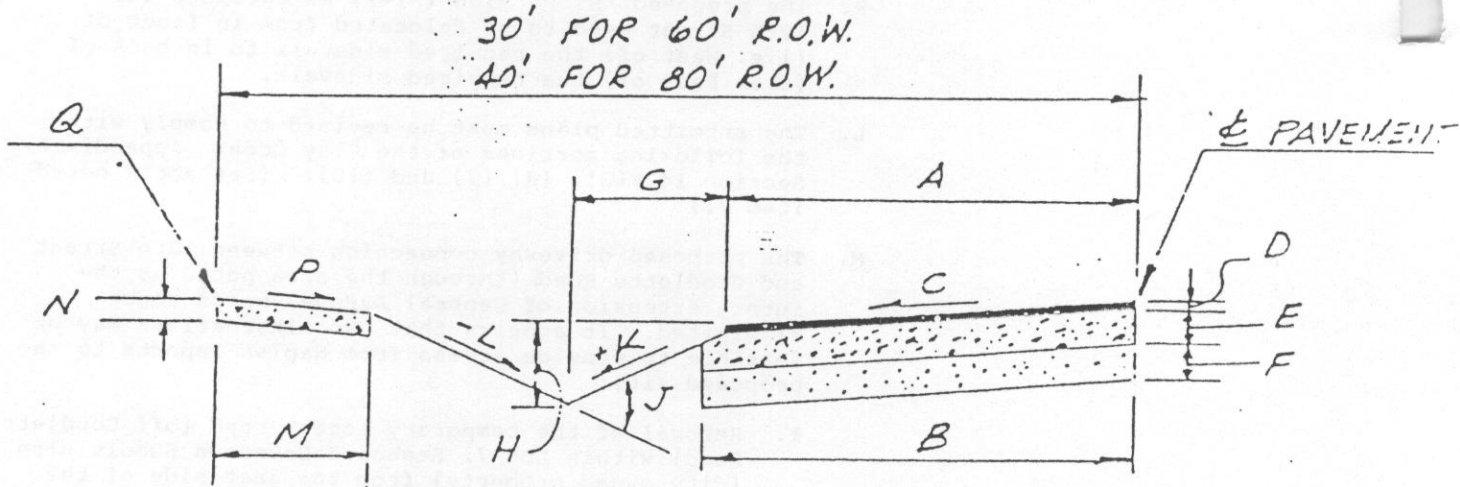
To: File GDSP 87-3  
From: R. J. Barry  
Subj: PAB Action 7/2/87

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- K. The proposed "STOP" sign (R1-1) at egresses off 12th Street need to be relocated from in front of (i.e. West of) the required sidewalk to in back of (i.e. East of) the required sidewalk.
- L. The submitted plans must be revised to comply with the following portions of the City Code: Appendix A, Section 14.F(3), (4) (7) and (10). (See above noted item 7.)
- M. The proposed driveway connection between 12th Street and Goodlette Road (through the area noted as the future extension of Central Avenue) needs to be eliminated. It appears that two alternatives may be feasible to provide access from Naples Imports to the proposed site:
  - 1. Removal of the temporary access road (off Goodlette Road) within Lot 7, Seaboard Downtown Subdivision (City owned property) from the east side of the Naples Import driveway to Goodlette Road.
  - 2. Removal of the north drive (off 12th Street) from a northerly extension of the west side of the access aisle in the parking lot (in the proposed site) to 12th Street.

The details of the compliance with this requirement are to be worked out to the satisfaction the City Engineer and the Director of Community Development.

RJB:ed



RECOMMENDED CRITERIA

| CROSS SECTION ELEMENTS |                                      | LOCAL STREET                          | COLLECTOR STREET |
|------------------------|--------------------------------------|---------------------------------------|------------------|
| A                      | Pavement Width ÷ 2                   | 10' <sup>a</sup>                      | 13'              |
| B                      | Base Width ÷ 2                       | 11'                                   | 14'              |
| C                      | Pavement Cross Slope                 | 1/4" / FT. <sup>b</sup>               | 1/4" / FT.       |
| D                      | Type II Asphaltic Concrete Thickness | 1"                                    | 1 1/4"           |
| E                      | Limerock Base Thickness              | 8"                                    | 8"               |
| F                      | Stabilized Subgrade Thickness        | 6"                                    | 8"               |
| G                      | ± Swale to Edge of Pavement          | 6'                                    |                  |
| H                      | Swale Depth                          | 0.2' to 0.4'                          |                  |
| J                      | Algebraic Difference in Swale Grades | ≤ 12% <sup>c</sup>                    |                  |
| K                      | Swale Grade near Pavement            | Max. 6%                               |                  |
| L                      | Swale Grade near Sidewalk            | Max. 6%                               |                  |
| M                      | Concrete Sidewalk Width              | 5' <sup>d</sup>                       |                  |
| N                      | Concrete Sidewalk Thickness          | 4" <sup>e</sup>                       |                  |
| P                      | Concrete Sidewalk Cross Slope        | 1/4" / FT.                            |                  |
| Q                      | Back of Sidewalk Elevation           | Approx. equal to ± Pavement Elevation |                  |

- a Min. 9' in resurfacing projects
- b Min. 1/8" / FT. and Max. 1/2" / FT. in resurfacing projects
- c Refer ITE "Recommended Guidelines for Subdivision Streets", 1984, Section 2.03
- d 8' in certain cases; refer City Code Appendix A, Section 6.29
- e 6" thick concrete sidewalk with wire mesh (at alley intersection and driveways, per City Code, Section 19-1



796 Fifth Avenue South  
Post Office Box 413008  
Naples, Florida 33941-3008  
813/262-1200

August 13, 1987

Mr. Frank W. Hanley  
Finance Director  
City of Naples  
735 Eighth Street, S  
Naples, Florida 33940

RE: One Hundred Thirty Eight Thousand Seven Hundred Ninty Dollar  
(\$138,790) Loan Proposal for Computer Equipment Financing;  
City of Naples, Florida

Dear Mr. Hanley:

This letter constitutes a proposal on the part of Barnett Bank of Naples ("Barnett") to loan to the City of Naples, Florida ("City") an amount not to exceed One Hundred Thirty Eight Thousand Seven Hundred Ninty Dollars (\$138,790) for the purpose of financing specific computer equipment for the City of Naples.

The terms and conditions of the proposal are as follows:

- 1) Borrower: The City of Naples, Florida
- 2) Principal Amount of Loan: One Hundred Thirty Eight Thousand Seven Hundred Ninty Dollars (\$138,790)
- 3) Interest Rate: 1. A variable rate of interest equal to seventy percent (70%) of the Prime Rate of Interest of Barnett Banks, Inc. (BBI) adjusted as of each announced date of change through December 31, 1987 and seventy-six percent (76%) of said Prime Rate for the balance of the term. 2. A fixed rate of interest of seven percent (7%) for the full term of the loan.

The foregoing interest rate is offered by Barnett only on the condition that all interest received on the loan be exempt from income taxes. If after the date of the loan, such interest ceases to be tax-exempt, then the interest rate charged shall be the equivalent taxable yield retroactive to the date that such loan interest was determined to be taxable. Included in the loan agreement will be various "gross-up provisions" acceptable to Barnett which may adjust the interest rate charged to compensate for future potential changes in the maximum corporate tax rate.