



City of Naples

City Council Chamber
735 Eighth Street Sout
Naples, Florida 3394

-SUBJECT-	Ord. No.	Res. No.
<p><u>ANNOUNCEMENTS:</u> MAYOR PUTZELL: None. CITY MANAGER JONES: None.</p>		
<p><u>APPROVAL OF MINUTES:</u> November 9, 1988, Neighborhood Town Meeting</p>		
<p><u>PURCHASING:</u> -BID AWARD for computer-aided design peripherals. -BID AWARD for submersible pumps. -BID AWARD for one compact panel van. -BID AWARD for electric motor. -BID AWARD for three year lease agreement for additional office space. -BID AWARD for median revisions along US 41 and River Point Drive.</p>		88-5691 1 88-5692 88-5693 88-5694 2 88-5695 88-5696
<p><u>RESOLUTIONS:</u> -APPROVE dredge and fill request for construction of seawall. -WITHDRAW request for alley vacation, 851 Fifth Avenue North. -DENY variance request to erect a five foot fence, 1146 Sixth Avenue South. -APPROVE variance request to allow a carport to straddle common property lines, 333 and 299 Harbour Drive. -APPROVE GDSP for Park Shore Unit No. 3. -APPROVE conditional use permit for drive through teller facility, Park Shore Unit 3.</p>		88-5697 88-____ 88-____ 4 88-5698 5 88-5699 6 88-5700
<p><u>ORDINANCES - First Reading:</u> -APPROVE amended Comprehensive Plan pursuant to the Growth Management Act.</p>		88-____ 7-
<p><u>CORRESPONDENCE AND COMMUNICATIONS:</u> Mayor Putzell announced that the Neighborhood Town Meeting would be held this evening for Precinct 15 at the Police Station on Goodlette-Frank Road.</p>		

CITY OF NAPLES, FLORIDA

City Council Minutes

Date 12/14/88

COUNCIL MEMBERS	M O T I O N	S E C O N D	VOTE		A B S E N T
			Y E S	N O	

Innovative Computer Consultants
 Bonita Springs, Florida
 \$10,857.00

Title not read.

---RESOLUTION NO. 88-5692

Item 5-b

A RESOLUTION AUTHORIZING THE PURCHASE OF VARIOUS WATER AND SEWAGE SUBMERSIBLE PUMPS FOR THE UTILITIES DEPARTMENT; AUTHORIZING THE CITY MANAGER TO ISSUE PURCHASE ORDERS THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Ellis K. Phelps & Company
 Apopka, Florida
 \$15,593.00

Technical Sales Corporation, Inc.
 Tampa, Florida
 \$22,546.44

Title not read.

---RESOLUTION NO. 88-5693

Item 5-c

A RESOLUTION AWARDDING CITY BID #89-18 FOR ONE (1) COMPACT PANEL VAN TO BE USED BY THE PURCHASING DIVISION OF THE FINANCE DEPARTMENT; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Don Reid Ford, Inc.
 Maitland, Florida
 \$11,398.00

Title not read.

In response to Councilman Graver, Purchasing Agent Unangst advised the specification for a 119 wheelbase versus 111 is that it gives the City more cargo carrying space.

Mr. Crawford asked if the City, in some cases, might be too specific whereby reducing the number of bid respondents. City Manager Jones said he did not think so as all bidders are afforded the opportunity to voice any objections to specifications at the bid openings.

---RESOLUTION NO. 88-5694

Item 5-d

A RESOLUTION AWARDDING CITY BID #89-19 FOR ONE (1) 300 HORSEPOWER ELECTRIC MOTOR TO BE USED AT THE WATER TREATMENT PLANT; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

COUNCIL MEMBERS

M	S	73	A
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T	C		S
I	O		E
O	N		N
N	D		T
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	O		

Bob Dean Supply, Inc.
Fort Myers, Florida
\$13,102.65

Title not read.

---RESOLUTION NO. 88-5695 Item 5-e

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A THREE-YEAR LEASE AGREEMENT BETWEEN THE CITY OF NAPLES AND NIKOS MOUYIARIS FOR ADDITIONAL OFFICE SPACE TO RELOCATE THE PURCHASING DIVISION; AND PROVIDING AN EFFECTIVE DATE.

Nikos Mouyiaris
c/o Investment
Properties Corp.

Title not read.

Mayor Putzell noted Neapolitan Enterprises Company had submitted the lowest bid; however, Purchasing Agent Unangst pointed out that it was for less square footage and staff was looking for a larger location.

In response to Mrs. Anderson-McDonald, City Manager Jones advised that the difference in lease amounts was due, in part, to the total lease cost (plus common area) divided by three years, which is \$12,180 per year annual cost.

---RESOLUTION NO. 88- ITEM 5

A RESOLUTION AWARDDING THE BID FOR MEDIAN REVISIONS IN CONJUNCTION WITH THE SIGNALIZATION WORK AT THE RIVER POINT DRIVE AND U.S. 41 INTERSECTION; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Better Roads, Inc.
Naples, Florida
\$22,450.00

Title not read.

This item was deferred for 90 days.

MOTION: To APPROVE the Consent Agenda as presented with the aforementioned amendment to the minutes.

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

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

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

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

COUNCIL MEMBERS

MOTION	SECTION	VOTE	
		YES	NO

---RESOLUTION NO. 88-5697

ITEM 7

A RESOLUTION AUTHORIZING A DREDGE AND FILL REQUEST FOR THE CONSTRUCTION OF A SEAWALL AND TO PLACE FILL BEHIND IT TO THE ELEVATION OF THE EXISTING REAR YARD GRADE, SUBJECT TO THE STIPULATIONS SET FORTH HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

PUBLIC HEARING: Opened: 9:14 a.m.
Closed: 9:17 a.m.

Natural Resources Manager Staiger explained the petitioner was requesting a permit to construct a seawall. He also intends to take the rock revetment presently there and stockpile it to replace intertidal habitat which will be covered by the fill. There have been no objections received either from adjacent neighbors or the Conservancy.

Engineer W. J. Johnson, representing the petitioner, was present to answer questions. In response to Councilman Graver, Mr. Johnson said he did not believe the seawall would encroach any further than the face of the dock, five feet.

MOTION: To APPROVE the resolution as presented.

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

COMMUNITY DEVELOPMENT DEPARTMENT/ NAPLES PLANNING ADVISORY BOARD

---RESOLUTION NO. 88-

ITEM 8

A RESOLUTION VACATING AND ABANDONING THE EASTERN 100' OF THE 20' WIDE UNIMPROVED EAST-WEST ALLEY LOCATED IN THE CENTER OF BLOCK 26, TIER 9, PLAN OF NAPLES, LOCATED IMMEDIATELY NORTH OF 851 FIFTH AVENUE NORTH, SUBJECT TO THE CONDITIONS SET FORTH HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

City Attorney Rynders advised the petitioner has asked this item be withdrawn from the agenda and considered at the Council's second regular meeting in January.

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---RESOLUTION NO. 88-

ITEM 9

A RESOLUTION GRANTING A VARIANCE FROM SECTION 6.11(A) OF APPENDIX "A" - ZONING OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES IN ORDER TO PERMIT A FIVE FOOT HIGH FENCE ON THE FRONT PROPERTY LINE OF THE GREAT AMERICAN BOATYARD AT 1146 SIXTH AVENUE SOUTH, SUBJECT TO THE CONDITIONS SET FORTH HEREIN; AND PROVIDING AN EFFECTIVE DATE.

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

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	VOTE	A B S E N T
				75	

Title read by City Attorney Rynders.

Community Development Director advised staff had reviewed the petition and believed it met criteria for a variance inasmuch as the property use and location indicates a unique situation; therefore, both staff and Planning Advisory Board (PAB) recommended approval of this request.

In response to Mayor Putzell, Mrs. McKim advised the reason two of the five PAB members voted against this item was because they felt other alternatives existed, such as a security guard, three foot fence, etc. Councilman Graver said he believed approval of this request might set a precedent and Mayor Putzell added that this type fence was not in keeping with the environment. Mr. Richardson agreed and said he believed they had other options.

Mr. Falconer Jones, representing Dockside Boardwalk, Ole Marina Docks, 11th Street Condominium and Tin City Partnership, Inc., advised these groups were strongly opposed to approval of this request because it was not in keeping with the community's aesthetic value.

Petitioner Carl Langdon of Pasadena Boat Yards explained his company has experienced vandalism, unwanted parked vehicles, pedestrian traffic and the like. They have proposed this remedy to prevent these unsafe conditions from causing a severe accident, he said. Mr. Muenzer said that a three foot fence could effect the same result by keeping traffic from using that area. He suggested the petitioner obtain copies of police reports indicating frequency of vandalism and any other information that might be useful for Council's consideration if this request today was denied.

In response to Council's questions regarding the possibility of a roll-down cover, Mr. Langdon said that it was not feasible due to use of a rather large hoist on the property. Councilman Barnett noted that the petitioner could, according to Code, construct a three foot fence.

MOTION: To DENY the resolution as presented with the recommendation that the petitioner bring back alternate plans.

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

	X		
	X		
	X		
	X		
X	X		
X	X		
X	X		

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---RESOLUTION NO. 88-5698 ITEM 10

A RESOLUTION GRANTING A VARIANCE FROM SECTION 5.5(F) OF APPENDIX "A" - ZONING OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES IN ORDER TO PERMIT A CARPORT AT THE BELMONT COURT AND LEEWARD COVE CONDOMINIUMS LOCATED AT 333 AND 299 HARBOUR DRIVE WHICH WILL "STRADDLE" THE COMMON PROPERTY LINE BETWEEN THE TWO COMPLEXES, SUBJECT TO THE CONDITION SET FORTH HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

COUNCIL MEMBERS	MOTION	SECTION	VOTE		ABSENT
			YES	NO	

Community Development Director McKim advised that staff found unique circumstances existed for both properties and since each condominium association requested this variance, staff and Planning Advisory Board (PAB) recommended approval.

Architect Robert Forsythe, representing the petitioners, was available to answer questions.

Referring to the resolution, Mayor Putzell suggested that Section 1 of the document include "as approved by staff" relating to the enclosure of dumpsters.

In response to Mrs. Anderson-McDonald, Architect Forsythe advised that the covered parking spaces would be assigned according to seniority and those persons wishing to pay an additional charge for this privilege.

Councilman Crawford expressed concern regarding future requests and Mrs. McKim reiterated that this was a positive precedent. If two condominiums met the same criteria as discussed today, then staff would recommend approval.

MOTION: To APPROVE the resolution with the added language in Section 1 of the resolution: "subject to staff approval."

*** ***(7-0)

Anderson-McDonald			X	
Barnett	X		X	
Crawford			X	
Graver			X	
Muenzer			X	
Richardson	X		X	
Putzell			X	

---RESOLUTION NO. 88-5699 . ITEM 11

A RESOLUTION APPROVING THE GENERAL DEVELOPMENT AND SITE PLAN FOR A 3.3 ACRE SITE ZONED PLANNED DEVELOPMENT AND DESIGNATED FOR HIGHWAY COMMERCIAL USES LOCATED AT THE NORTHWEST CORNER OF U.S. 41 NORTH AND PARK SHORE DRIVE, BEING LOT 1, BLOCK 22, PARK SHORE, UNIT NO. 3, SUBJECT TO THE CONDITIONS SET FORTH HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

After a brief review of the three proposed site plans, Community Development Director McKim advised staff fully supported Plan C because it protected some sand pines/scrub oaks and provided for a greater setback from the street, approximately 90 feet.

Councilman Crawford expressed concern about the building height of this structure in comparison to adjacent multifamily housing. He suggested that at a future workshop staff address the zoning criteria for highway commercial property which abuts multifamily residential.

Referring to a letter received from Moore Property Management, Inc. (Attachment #2), Mayor Putzell suggested that when staff reviews the water management plans, it take this request into consideration. He then asked for clarification regarding placement of the dumpster. Mrs. McKim indicated it would be placed one aisle west in the subject parking lot.

COUNCIL MEMBERS

MOTION	VOTE		ABSENT
	YES	NO	

Petitioner Scott Lutgert was available to answer questions.

MOTION: To APPROVE the resolution with the inclusion of some specific language relating to staff approval of the water management plans and placement of street trees.

---RESOLUTION NO. 88-5700

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT FOR A DRIVE THROUGH TELLER FACILITY AT A PROPOSED BANK LOCATED AT THE NORTHWEST CORNER OF U.S. 41 NORTH AND PARK SHORE DRIVE, BEING LOT 1, BLOCK 22, PARK SHORE, UNIT NO. 3; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

See above discussion.

MOTION: To APPROVE the resolution as presented.

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-----END COMMUNITY DEVELOPMENT/FAB-----

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

---ORDINANCE NO. 88-

ITEM 12

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN FOR THE CITY OF NAPLES; PROVIDING ELEMENTS FOR FUTURE LAND USE AND DEVELOPMENT, PUBLIC FACILITIES AND WATER RESOURCES, TRAFFIC CIRCULATION, HOUSING, PARKS AND RECREATION, CONSERVATION AND COASTAL MANAGEMENT, INTERGOVERNMENTAL COORDINATION AND CAPITAL IMPROVEMENTS; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO ADOPT AN AMENDED COMPREHENSIVE PLAN PURSUANT TO THE LOCAL GOVERNMENTAL COMPREHENSIVE AND LAND DEVELOPMENT REGULATION ACT AND THE GROWTH MANAGEMENT ACT.

Title read by City Attorney Rynders.

PUBLIC HEARING: Opened: 10:00 a.m.
 Recessed: 11:03 a.m.
 Reconvened: 11:13 a.m.
 Recessed: 12:11 p.m.
 Reconvened: 12:45 p.m.
 Closed: 2:34 p.m.

Mayor Putzell commended staff and the Planning Advisory Board (PAB) for the many hours of effort put into this subject and noted that many of the participants were community volunteers.

Community Development Director McKim reviewed the City Manager's memorandum dated December 9, 1988, outlining final PAB recommendations for the City;

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

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

COUNCIL MEMBERS	M O T I O N	S E C O N D	VOTE		P E S E N T
			Y E S	N O	

Comprehensive Plan (Attachment #3). One of the recommendations made by the Department of Community Affairs (DCA) was to ensure the objectives and policies were more measurable. To do this it will be necessary to either assign a date for the project or explain how to get it done, Mrs. McKim said. Another recommendation from DCA was to cite the State Statute pertaining to certain objectives which might be changed by the Legislature thereby giving the City more time in which to accomplish the project.

Referring to the annexation portion of the Plan, Mrs. McKim explained that staff had prepared a conversion chart to adapt current County zoning to that of the City. After a brief discussion regarding effect of annexation on the Plan and the Florida Department of Transportation (FDOT) designated level of service for City and County roads, Mrs. McKim handed out a list of recommended changes to the Plan (Attachment #4). Councilman Richardson noted that the changes applied to main arteries of the City such as Gordon Drive, Crayton Road, and the like.

The Future Land Use and Conservation/Coastal Management Elements have several recommended changes, she said. Areas designated high hazard in COBRA (Coastal Barriers Resource System) will be designated as conservation/vital which indicates that no development can take place in that area. If Council should decide that development could take place, the PAB recommended the following be included: provide a hurricane evacuation plan; no public funds to be used for required infrastructure; majority of development outside the high-hazard area; and beach and dune protections systems must be provided.

In response to Mayor Putzell, C. Lodge McKee, chairman of the PAB, reviewed the Board's recommendation with respect to Key Island as outlined in the City Manager's memo dated December 9, 1988, herein included as Attachment #3. Councilman Crawford asked how many units could be built on the island to which Mr. McKee advised the original plan indicated approximately 74 units; however, that plan has since been withdrawn.

Before discussion began regarding each element of the Plan, City Manager Jones explained that staff had submitted a Plan to the State which it believed met all criteria of the Statutes and 9JS. Upon review by the State, it was found that some of the objectives and policies would have to be amended to comply with the Statutes which is the Plan submitted today for Council approval. Mr. Jones commented that staff supported the PAB's recommendations regarding Future Land Use and Conservation/Coastal Management Elements.

At this point, Councilman Richardson read a brief statement regarding Keewaydin Island and activity centers herein included as Attachment #5.

INTRODUCTION

This element was amended with additional annexation information as required.

TRAFFIC

This element was amended as outlined in Attachments #3 and #4.

HOUSING

Additional data has been included in this element relating to annexation and substandard housing, Mrs. McKim noted.

Mr. Robert Duane of Hole, Montes & Associates, Inc., representing Com Hold Investments, read a brief statement into the record herein included as Attachment #6. He asked Council to consider textual changes in this element as well as the Future Land Use Map which would change zoning of this parcel from low density to medium density development to provide for construction of an Adult Congregate Living Facility (ACLF).

In response to Mr. Duane's request, Community Development Director McKim advised that the zoning ordinance would be a better mechanism by which to address density. Usually in the nursing home situation, Mrs. McKim explained, because there normally are common eating facilities, recreational, etc., the density of units would be converted to allow more to be constructed through a conditional use process.

It was the consensus of Council not to accept Mr. Duane's recommended amendment to the Plan.

PARKS, RECREATION AND OPEN SPACE

This element was amended as outlined in Attachment #3.

PUBLIC FACILITIES AND WATER RESOURCES

This element was amended as outlined in Attachment #3.

INTERGOVERNMENTAL COORDINATION

This element was amended as outlined in Attachment #3.

CAPITAL IMPROVEMENTS

This element was amended as outlined in Attachment #3.

FUTURE LAND USE

Community Development Director McKim advised that staff had received a request for a change to the land use map. The Brassie which is adjacent to Naples Beach Club currently is designated for golf course use and they have asked that it be amended to transient, restaurant use; staff has recommended approval of this request.

Referring to a piece of property behind Piccadilly Pub, Mrs. McKim noted that the PAB had recommended commercial use. The entire Fifth Avenue South and

affect the appraised value. City Attorney Rynders pointed out that the City could designate the land as conservation/limited and would not suffer any financial consequences.

It was the consensus of Council not to accept Mr. Henderlong's recommendation to change the land use designation of property west of the airport.

Dr. Michael Stephen of Coastal Engineering Consultants, representing owners of Key Island, handed out several items relating to the erosion rates on Key Island herein included as Attachment #8. He supported construction in the COBRA area designated high-hazard and asked Council to retain its current position regarding Key Island.

In response to Mayor Putzell, Dr. Stephen said that he agreed DCA was encouraging no development in the COBRA high hazard areas, but he did not believe it to be applicable in this case. Councilman Crawford noted that normally dredged sand from Doctors Pass is placed on the island; however, this next dredging will place sand to the north which would, more than likely, increase the current five foot per year erosion rate on the island.

Attorney J. Dudley Goodlette of Cummings & Lockwood, representing Key Island, Inc., submitted several documents into the record: transcripts of the July 13, 1988 and July 20, 1988 Council meetings; letter dated December 5, 1988 to Chairman C. Lodge McKee of the PAB; and lastly, a letter dated December 13, 1988 to the Mayor and City Council (a copy of the aforementioned documents can be reviewed from the meeting packet in the City Clerk's office). Mr. Goodlette then advised that his client was strongly opposed to the designation of conservation/vital in the COBRA high hazard areas as recommended by the PAB. He also stated he was distressed that staff would not allow him to sit in on its meeting with DCA to review objectives, recommendations and comments from that department. The DCA did not recommend the aforementioned change, he said; in fact, it ignored the recommendation to do so by the Department of Environmental Regulation (DER), Attorney Goodlette contended.

In response to Councilman Crawford, Mrs. McKim advised, that the V-Zone line designation on Mr. Stephen's hand outs was more accurate than that of the staff's. Mayor Putzell asked staff to restate DCA's comments and recommendations regarding this area. Mrs. McKim explained that while DCA was not specific, its comments were structured in such a way to try and lead staff to the right conclusion. Staff believes it has made that correct conclusion.

City Attorney Rynders commented that if development was permitted in this area, it might require additional changes in the Plan which staff would have to ensure were consistent.

RECESS: 12:11 p.m. until 12:45 p.m.

Dr. Harold R. Wanless, Associate Professor, Marine Biologist and Physicist, from the University of Miami, representing The Conservancy, spoke in

COUNCIL MEMBERS	M O T I O N	S E C O N D	Y E S	N O	VOTE	

opposition to any development on the barrier island, Key Island. He referred several times to a report previously submitted to the Council (a copy of which can be reviewed from the meeting packet in the City Clerk's Office). The report indicates this entire area as unstable, constantly changing which does not allow itself to be suitable for development. Development of the island could possibly effect the estuary system and the natural flow of water in the Bay.

(Councilman Richardson arrived at 1:00 p.m.)

Dr. Wanless continued that he believed Key Island could not withstand the forces of a full blown hurricane. Councilman Muenzer, however, noted that Hurricane Donna barely affected the island with little or no damage being reported. Natural Resources Manager Staiger added that the beach area, which has been renourished several times from the dredging of Doctors Pass, has not yet been tested by a severe storm.

Dr. Mark Benedict, Director of Environmental Protection and Natural Resource Management for The Conservancy, spoke in opposition to any development on the island (Attachment #9) and fully supported Dr. Wanless and Mr. Pfeiffer's remarks. He then placed The Conservancy's comments dated September 8, 1988, regarding the Comprehensive Plan into the record (a copy of which can be reviewed from the meeting packet in the City Clerk's Office).

In response to Councilman Muenzer, PAB Chairman McKee advised that the Board did not believe new data or information has been submitted to effect a change in its recommendation.

Mr. Alan Reynolds of Wilson, Miller, Barton, Soli & Paek, representing John Remington, said that given the proposed amendment to the Plan, he could not in good conscious tell his client he had a viable development opportunity on Key Island. If Council recommended approval of the PAB's suggested amendment to the Plan, it would negate authority of all other government agencies which regulate development of coastal properties, Mr. Reynolds said.

In response to Mayor Putzell, Mr. Reynolds noted that approximately 19 homes were located in the high hazard COBRA area and one home in the high hazard non-COBRA area. Mrs. Anderson-McDonald asked if it was feasible to move those 19 homes further upland. Mr. Reynolds said he did not believe so. Council asked if the developer would conform to the Coastal Construction Control Lines (CCCL) where applicable and Mr. Reynolds advised that they would seek variances to the line where needed to construct the development.

City Attorney Rynders clarified that if Council decided to approve the PAB's recommendation, the developer would not be permitted to place homes in the area designated conservation/vital. The only regulatory agency to which he could appeal this decision would be the City. It is not incumbent upon the Council to take economic factors into

COUNCIL MEMBERS

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

consideration. When making its decision, it should determine the best and appropriate land use designation for that area regardless of any proposed developments.

Ms. Nancy Stroud, representing John Donahue, supported the FAB's recommendation and urged Council to approve it.

Attorney Joe Fleming, representing The Conservancy, supported his group's recommendation that no development be allowed on this barrier island as it would adversely affect the estuary system. Attorney Fleming proposed a compromise wherein a variance system could be established in the Plan for proposed development on the island. City Attorney Rynders, however, did not support this position and said it was better for the Council to take a position at this time and stand by it, not to offer false promises. In response to Mayor Putzell, Attorney Fleming advised he did not believe the restriction of development on the island indicated a taking of property, he then cited several cases supporting this statement. City Attorney Rynders pointed out that the issue of taking in relation to these Growth Management Plans has yet to be tested in the Courts and could eventually be a landmark decision for the State.

Councilman Graver said that while he was sympathetic to Key Island, Inc.'s position, he believed it important to protect the barrier island and moved to follow the FAB's recommended changes as outlined in the City Manager's memo dated December 9, 1988. Mr. Crawford seconded the motion.

MOTION: To FOLLOW the FAB's recommended changes as outlined in the City Manager's memo dated December 9, 1988.

Mrs. Anderson-McDonald said that while she believed no development should be allowed on the barrier island, the issue of private property rights requires some compromise; therefore, she would support the motion.

Councilman Richardson, however, said that he was not convinced the COBRA area should be designated conservation/vital and voted against the motion.

Mayor Putzell briefly spoke regarding the importance of protecting the environment and the reverence of person property rights and advised that he would indeed support the motion at hand. He said he had hoped some type of variance system could have been worked out, not to suspend the decision made today, but to revise it, as needed.

Councilman Muenzer then referred to previous amendments he had proposed to the Plan (Attachment #10) and moved to remove the last paragraph of the recommended changes outlined in the City Manager's memo of December 9, 1988, relating to section (f) High Hazard Areas on page 58. Mr. Richardson seconded the motion.

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

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

COUNCIL MEMBERS

M O T I O N	S E C I O N	VOTE		A B S E N T
		Y E S	N O	

Mr. Joseph Herms asked to speak regarding the Traffic Element which he believed should be amended. As it stands now, each property owner would have to go through a GDSF for connection to a roadway, and supply a traffic impact analysis of any parcels over one acre. Mrs. McKim advised that each proposed development is required to provide its own improvements, like turn lanes out of the property. City Attorney Rynders noted that while it may not be fair, it has always been the State's contention that the last one to develop his property may have to pay more to connect to the roadway than the others. The area's growth rate has compelled these restrictions.

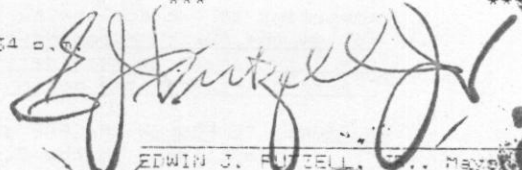
MOTION: To APPROVE the ordinance as presented at first reading.

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

CORRESPONDENCE AND COMMUNICATIONS:

Mayor Putzell announced that the Neighborhood Town Meeting would be held this evening for Precinct 15 at the Police Station on Goodlette-Frank Road.

ADJOURN: 2:34 p.m.



EDWIN J. PUTZELL, Mayor

Janet Cason
 JANET CASON
 CITY CLERK

Jodie M. O'Driscoll
 JODIE M. O'DRISCOLL
 DEPUTY CLERK

These minutes of the Naples City Council were approved on January 18, 1989.

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

			X	
X			X	
			X	
			X	
			X	
	X		X	
			X	

SUPPLEMENTAL ATTENDANCE LIST

Charles Andrews
Patty Beal
Harold Langdon
Steve Pfeiffer
Odessa Murphy
Robert Schroer
Robert Duane
J. Dudley Goodlette
Alan Reynolds

W. W. Haardt
Rich Henderlong
Carl Nies
Falconer Jones
Lee Layne
Sarah Finch
Joseph Herms
Harold R. Wanless
Nancy Stroud

Rev. Dan Luidhardt
Jeff Jacobson
James Kessler
Harold Adler
William J. Johnson
Robert E. Forsythe
Dr. Michael Stephen
Dr. Mark Benedict
Joe Fleming

Other interested citizens and visitors.

NEWS MEDIA

Lori Darvas, Naples Daily News
John Goff, WINK-TV

Pat Wasson, WNOG
Palmer Cablevision



MOORE
PROPERTY
MANAGEMENT
INC.



December 12, 1988

City of Naples
735 8th Street South
Naples, FL. 33940

Atten: Zoning & Permit Department

Good Morning;

We represent the Belair Club located at 3930 Belair Lane and have been in discussion with the Lutgert Companies relative to their new development at the corner of Belair and Park Shore Drive.

Due to the fact that when the Inn of Naples was built and this necessitated a difference in the rear grade of about four feet the condo board is concerned that the same won't happen at the southeast corner of their property when the new Lutgert building is built. If the new grade is at the same level as that of the Inn of Naples the board requests that the City require that a retaining wall be built.

There is also concern that the location of the Lutgert dumpster is well ~~north~~ ^{EAST} of the southeast corner of the Belair Club property inasmuch as they now have to put up with the dumpster from the Inn.

Anything that you can do would be greatly appreciated.

Sincerely,

Robert M. Moore, Jr.
For the Board of Directors



City of Naples

--- MEMO ---

TO: Honorable Mayor and Members of the City Council
FROM: Franklin C. Jones, City Manager
RE: Final Recommendations of the Planning Advisory Board for the City Comprehensive Plan
DATE: December 9, 1988

On December 7th, the Planning Advisory Board held a public hearing to consider staff recommendations for changes to the Comprehensive Plan. The changes were based on objections, comments and recommendations received from the Florida Department of Community Affairs in order to comply with the Growth Management Act and Chapter 9J-5 requirements for comprehensive plans.

Staff recommendations and those from PAB workshops were underlined and stricken in the revised plan which was distributed to PAB and City Council.

At the public hearing, the Planning Advisory Board recommended approval of the plan with the following additional changes:

1. Future Land Use Element

- A. Objective 15, on page 18 of this element, regarding annexation, should read:

"As consistent with Section 163.3202, Florida Statutes, and as a result of annexation, the City will thoroughly study the annexation area to identify inconsistencies between County and City land use regulations within the annexation area and develop mechanisms to resolve those inconsistencies to determine the most appropriate land use designations and zoning districts."

- B. In the section discussing annexation, add the following to page 30:

"The following page contains the conversion chart for zoning, as well as future land use designations for the annexation area. These are used to show the transfer of land use and zoning designations from County to City. The City recognizes that these are generalized maps and guidelines and that additional study will be required to better analyze vacant and developed lands to determine the most appropriate development and design standards for these areas.

There are several unique land use areas (such as Jungle Larry's African Safari and Caribbean Gardens) within the annexation area which might not fit well into the proposed land use designations. However, the land use designations and maps, and proposed zoning districts found in the conversion chart are considered appropriate at this time based on the best available data. Upon approval of annexation, further study and analysis of land uses, neighborhoods, and areas of special concern will be carried out. The study of the annexation area will be directed towards appropriate future land uses and will consider compatibility of land uses, protection of stable residential areas, traffic capacity, and the impact on established levels of service for public facilities as designated in this Plan. It is recognized that a result of this additional study of the annexation area may result in an amendment to the Comprehensive Plan, Future Land Use Map and zoning maps."

- C. Section 163.3202 of Florida Statutes recognizes that one year after revised comprehensive plans are submitted for review, (August, 1989 for Naples), each municipality shall adopt land development regulations consistent with, and to implement their adopted plan. It is our understanding that this deadline may be extended by the legislature next summer. The PAB recommended that all references in the Plan relative to carrying out this requirement which include the date "August, 1989" be changed to "as consistent with Section 163.3202 Florida Statutes". This will give us more time to implement the Plan if this deadline is amended without requiring us to amend the Comprehensive Plan to change the dates.
- D. The PAB recommended allowing limited residential development in high hazard areas on Key Island at the Keewaydin Club area which is approximately 30 acres and is not a part of the COBRA designated area, and prohibiting development in other high hazard areas. This requires us to change the Future Land Use Map (see attached map and also changes

listed under the Conservation and Coastal Management Element proposed changes for more details).

2. Conservation and Coastal Management Element

- A. Policy 2-9, on page 5 of this element, pertaining to development in the high hazard area was changed to read (new wording added by PAB is underlined):

"The Community Development Department will develop and recommend to City Council two conservation zoning districts: (1) Providing for conservation/vital areas which include COBRA high hazard areas; and, (2) providing for conservation/limited development areas which includes high hazard non-COBRA areas. These zoning districts will address the transfer of development rights from the Federal Emergency Management Area designated "V" zones, hurricane contingency planning requirements and performance standards for limited development in high hazard non-COBRA areas and the provision of infrastructure without the use of public funds. They will be consistent with the goal, objectives and permitted uses stated in the Conservation and Coastal Element of this plan."

- B. Objective 6, on page 13, pertaining to infrastructure in high hazard areas was changed to read (new wording added by PAB is underlined):

"In order to direct forecasted population away from known or predicted high hazard areas, new residential development in coastal high hazard areas will be limited in residential density levels to the MC zoning district to be established for Conservation/Limited Development areas. Public expenditures for new development in coastal high hazard areas will be limited to the few remaining infill lots. In accordance with Section 163.3202 of Florida Statutes, a post disaster redevelopment policy will be developed following the guidelines described in Section D4 (d) of this element to address development and redevelopment to reduce exposure of human life and property to natural hazards."

- C. The sentence beginning with "It is the intent to restrict" in Section 5 at the top of page 44 of this element was changed to read:

"It is the intent to restrict publicly funded infrastructure in high hazard areas only to those few remaining infill lots."

- D. The last paragraph beginning with the sentence "In order to comply..." in section (f) High Hazard Areas on page 58 of this element was changed to read:

"In order to comply with Section 9J-5.012 (3) (b), Florida Administrative Code concerning coastal management objectives, residential development in high hazard areas will be permitted only in those areas which are not COBRA, Coastal Barriers Resource System, designated areas and the few remaining infill lots north of Gordon Pass.

This policy directs population away from high hazard areas by limiting development to those areas which are adjacent to or surrounded by existing development. Also, density levels have been significantly reduced from what was previously permitted on Key Island. Therefore, a limited amount of development may be permitted in this area on Key Island provided the following conditions exist: no public funds will be used for required infrastructure; any development orders issued for this area must consider that the majority of the development has been proposed for areas outside of the high hazard area; beach and dune protection systems must be provided; and adequate hurricane evacuation plans have been provided.

This limits development in high hazard areas on Key Island only to the area immediately adjacent to the existing club facilities and does not permit development in the high hazard areas within the COBRA areas adjacent to the beach."

- E. Table C6 on page 52 should be changed as follows:

Under VITAL: f) High Hazard Areas - Within COBRA

Under LIMITED DEVELOPMENT: d) High Hazard Areas - Within non-COBRA areas.

3. Traffic Circulation Element

- A. The Planning Advisory Board recommended approval of this element subject to additional revisions which staff may recommend as a result of further analysis and input from the Florida Department of Transportation relating to level of service tables for this element. This information was not available to the PAB at their public hearing, but it

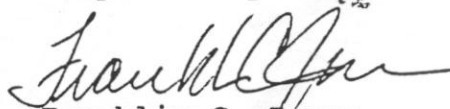
was recognized that these tables may need to be adjusted prior to final adoption of the Plan. Staff will address this concern at the City Council Public Hearing.

- B. Under subsection (c) Gordon Drive south of Kingston Drive on page 38 the sentence beginning with "In order...", change the sentence to add the word "transient" after the words "encourage further".

"In order to protect the residential character of the neighborhood, the city should not allow road or parking improvements which would encourage further transient use of the roadway."

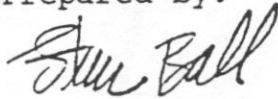
4. The remainder of the Comprehensive Plan was approved by the Planning Advisory Board with a recommendation to the City Council to adopt the Plan with the above referenced changes.
5. Staff has two additional changes which we recommend be added to the Plan. These are procedural requirements and the data was not previously available. This includes data and analysis of housing and land uses of the annexation area. This will be made available to City Council at the Public Hearing on the Comprehensive Plan and clarified by staff.

Respectfully Submitted,



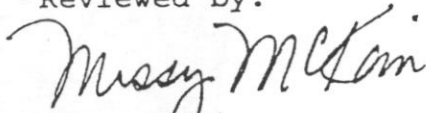
Franklin C. Jones
City Manager

Prepared by:



Steve Ball
Chief Planner

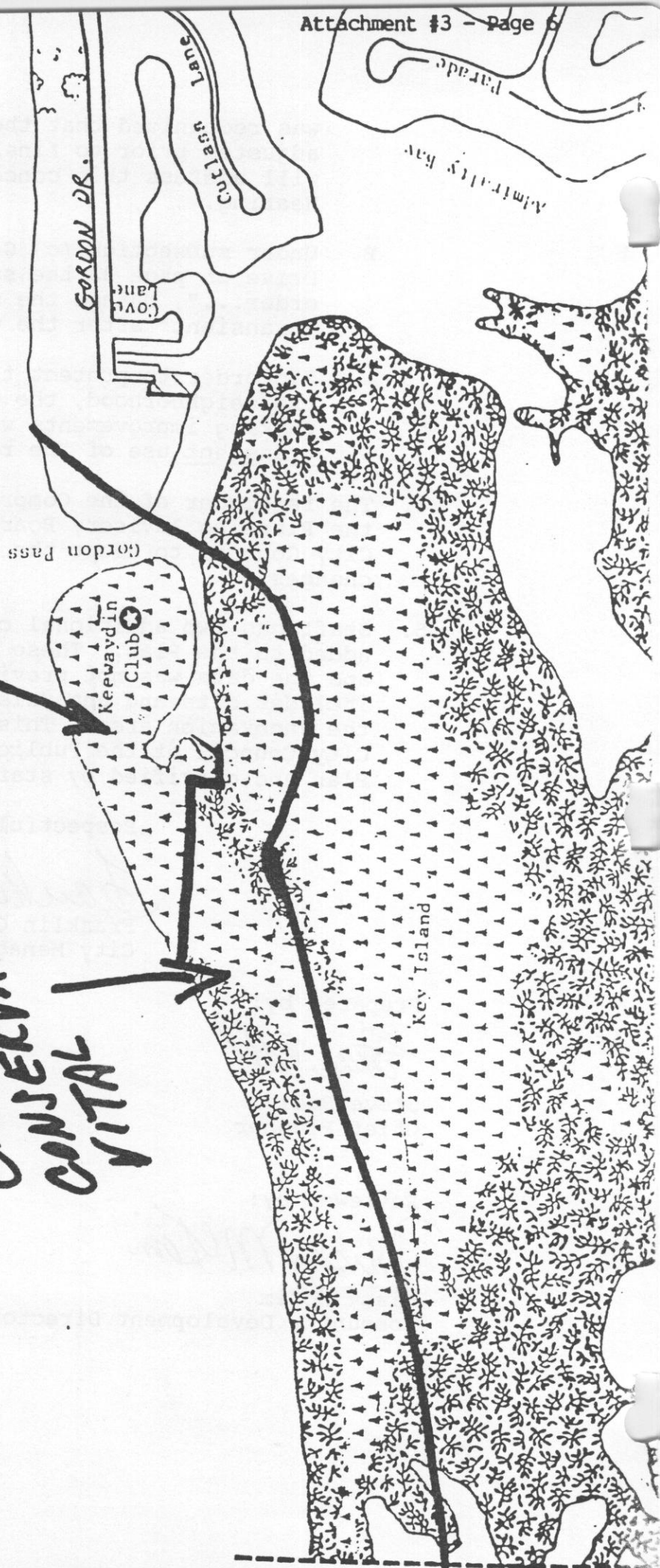
Reviewed by:



Missy McKim
Community Development Director

KEEP NON-COBRA
AREA CONSERVATION/
LIMITED DEVELOPMENT

CHANGE TO
CONSERVATION/
VITAL



Changes after DOT visit:

Additional Policies: The City will develop access management standards involving driveway permits, roadway crossings and median cuts by 1990.

Corridor preservation standards shall be developed through coordination with MPO, utilizing guidelines set by DOT.

Review proposed development in the Airport High Noise Impact Area to ensure compatible land uses.

Traffic 16: Second paragraph; "...as listed in T1 were based on the current (November 1988) generalized DOT capacity table for collector roads. The City will use the most recent FDOT table for level of service for collector roadways. The most current FDOT tables will be used as a general indicator of traffic conditions. It is important to understand that these tables are not designed for regulatory purposes, but to signal problem roadway segments which need further study." The rest of the paragraph would be deleted.

The following paragraph will be revised with this wording: "...These capacities are used for City maintained collectors as a general guideline only. Only through analysis of the unique characteristics of each individual roadway can the actual capacity be determined. FDOT Highway Capacity Manual methodology will be used as described in detail below."

Traffic 17: Chart must now be based on DOT standards.

Traffic 23: 4th paragraph; "This annual peak hour peak season level of service will be compared against the most current DOT standard resulting in one of the following:" (for roads with an adopted LOS of C)

"2) If the current LOS measured is bearing D, quarterly counts will be taken and analyzed for a peak hour/peak season count. A detailed study of the capacity of the roadway, consistent with the 1985 DOT Highway Capacity Manual A, will be done before the initial quarterly count is taken. If the annual monitoring count is very similar to the roadway capacity identified through this methodology, the quarterly counts will continue. Preliminary discussions with Planning Advisory Board and City Council addressing mitigation action will begin. If the adopted individual standard has increased capacity in comparison to the DOT standards, quarterly counts will be suspended until the annual count nears the adopted individual road capacity."

"3) If the current LOS measured is D, and the LOS was C or better last year, quarterly counts will be taken and analyzed for peak hour peak season count. A detailed study of the capacity of the roadway, consistent with the 1985 DOT Highway Capacity Manual A, will be done before the initial quarterly count. If the annual monitoring count is very similar to the roadway capacity identified through this methodology, the quarterly counts will continue. Preliminary discussions with Planning Advisory Board and City Council addressing mitigation action will begin. If the adopted individual standard has increased capacity in comparison to the DOT standards, quarterly counts will be suspended until the annual count nears the adopted individual road capacity. If three consecutive counts, which may include the annual count, show the LOS to be D (in relation to the adopted individual LOS standard) then the roadway segment enters a transitional period..."

Traffic 24: 8th paragraph (for roads with an adopted LOS of D standard): "2) If the current LOS measured is nearing E, quarterly counts will be taken and analyzed for a peak hour/peak season count. A detailed study of the capacity of the roadway, consistent with the 1985 DOT Highway Capacity Manual A, will be done before the initial quarterly count. If the annual monitoring count is very similar to the roadway capacity identified through this methodology, the quarterly counts will continue. Preliminary discussions with Planning Advisory Board and City Council addressing mitigation action will begin. If the adopted individual standard has increased capacity in comparison to the DOT standards, quarterly counts will be suspended until the annual count nears the adopted individual road capacity.

"3) If the current LOS measured is E, and the LOS was D or better last year, quarterly counts will be taken and analyzed for peak hour peak season count. A detailed study of the capacity of the roadway, consistent with the 1985 DOT Highway Capacity Manual A, will be done before the initial quarterly count. If the annual monitoring count is very similar to the roadway capacity identified through this methodology, the quarterly counts will continue. Preliminary discussions with Planning Advisory Board and City Council addressing mitigation action will begin. If the adopted individual standard has increased capacity in comparison to the DOT standards, quarterly counts will be suspended until the annual count nears the adopted individual road capacity. If three consecutive counts, which may include the annual count, show the

LOS to be E (in relation to the adopted individual LOS standard) then the roadway segment enters a transitional period..."

Traffic 25: 8th paragraph (for roads with an adopted LOS of E) "2) If the current LOS measured is nearing F, quarterly counts will be taken and analyzed for a peak hour/peak season count. A detailed study of the capacity of the roadway, consistent with the 1985 DOT Highway Capacity Manual A, will be done before the initial quarterly count. If the annual monitoring count is very similar to the roadway capacity identified through this methodology, the quarterly counts will continue. Preliminary discussions with Planning Advisory Board and City Council addressing mitigation action will begin. If the adopted individual standard has increased capacity in comparison to the DOT standards, quarterly counts will be suspended until the annual count nears the adopted individual road capacity.

Traffic 26: 3rd paragraph "1) If the volume of traffic of any segments is nearing a lower LOS, quarterly traffic counts will begin for that segment. A detailed study of the capacity of the roadway, consistent with the 1985 DOT Highway Capacity Manual A, will be done before the initial quarterly count. If the annual monitoring count is very similar to the roadway capacity identified through this methodology, the quarterly counts will continue. Preliminary discussions with Planning Advisory Board and City Council addressing mitigation action will begin. If the adopted individual standard has increased capacity in comparison to the DOT standards, quarterly counts will be suspended until the annual count nears the adopted individual road capacity. A report of these findings will be transmitted to the PAB...

"2) If any of the segments have had their annual count fall below the LOS standard, quarterly counts will begin for these segments. A detailed study of the capacity of the roadway, consistent with the 1985 DOT Highway Capacity Manual A, will be done before the initial quarterly count. If the annual monitoring count is very similar to the roadway capacity identified through this methodology, the quarterly counts will continue. Preliminary discussions with Planning Advisory Board and City Council addressing mitigation action will begin. If the adopted individual standard has increased capacity in comparison to the DOT standards, quarterly counts will be suspended until the annual count nears the adopted individual road capacity. Three consecutive counts below LOS, ..."

KEEWAYDIN ISLAND

A few weeks ago the City Council made a decision on what should be done on the development of Keewaydin Island. We approved the wording by a 6-0 vote and it was forwarded to the Department of Community Affairs (DCA) in Tallahassee.

Since that time, DCA comments asked for more data to support the position. I believe the Community Development Department should provide that data and return it to the DCA exactly as City Council approved it at a previous meeting with no changes.

ACTIVITY CENTERS

In order to be consistent with Collier County's Growth Management Plan, I believe we should accept the activity center concept that they have incorporated in their plans. This will allow land owners in their area to know that we will be consistent between the two bodies and that we are willing to further follow up development of activity centers with a Development Agreement to further define land uses in the area.

HOLE, MONTES & ASSOCIATES, INC.

Consulting Engineers — Land Surveyors

6202F Presidential Court
Fort Myers, FL 33918
(813) 481-7874715 Tenth St., South
P.O. Box 1586
Naples, FL 33939
(813) 967-461710650 Abernathy Street
Bonita Springs, FL 33923
(813) 982-0795

December 13, 1988

Mayor Edwin J. Putzell, Jr.
3033 Rum Row
Naples, Florida 33940Re: ACLF Housing Amendment
HMA File No. 88.112

Dear Mayor Putzell:

The purpose of this memo is to set forth our rationale for an amendment to the Comprehensive Plan for the City of Naples.

I. The Request

1. Our request is to amend the Land Use Plan Map for the annexation area for a parcel of land located on the north side of Baily Road and west of Airport Road. This request is necessary because the annexation map, that was recently adopted by your Planning Advisory Board last week, placed a low density land use designation on my clients property which is unfavorable for our long term planning objectives. Unfortunately, we only recently learned of this after the Planning Advisory Board had recommended their approval of this plan. (See attached location map of the subject property.)

This request is important to us because we previously had a similar zoning classification approved by the County, but the zoning classification has since elapsed. Currently, we are in the process of revamping our request to the County when we learned of your annexation plans.

2. While we are also presently in the process of formulating a development agreement with the City of Naples to establish future guidelines for rezoning of the property, we have also recently learned that language in the Land Use and Housing Elements of the proposed Comprehensive Plan does not fully provide opportunities to encourage Adult Congregate Living Facilities (ACLF) or recognize the unique opportunities and challenge it affords.

Mayor Edwin J. Putzell, Jr.
December 13, 1988
Page 2

II. ACLF Housing Defined

Our objective is to provide an Adult Congregate Living Facility which is independent living through interdependency. Specifically, this is housing for the elderly to provide for their specific needs which are different than the general population. This housing type can be generally defined as follows:

1. A building or buildings containing dwellings and related facilities, such as dining, recreational services, therapy areas, medical care and similar related personal and professional services. Such uses may include facilities for independent and semi-independent living of a complimentary and compatible nature, to ensure elderly residents a secure, independent, and rewarding lifestyle.
2. Housing for the elderly is typically constructed at higher densities than conventional housing types. The rationale is that elderly persons generate less automobile trips and somewhat lesser amounts of water, sewage, and solid wastes than the general population at the same density. Similarly, these projects have no impact on schools, and little impact on parks since these projects often provide their own recreational facilities. Similarly parking requirements are typically less. The most common ratio is one parking space for every three or four dwelling units, although ratios may vary from one space for every three dwelling units to every four or five dwelling units. The lower parking requirements for housing for the elderly therefore reflect lower trip generation rates which have less impact on roadways.

In some summary, based on the foregoing and the wide variation in the type and intensity of housing projects for the elderly, we propose that such housing types be permitted to vary from the density shown on the land use map provided, the use is compatible with adjoining land uses and the impacts related to traffic, schools, sewer, water, open space and the like are not dissimilar than would be accorded to typical land use designations depicted on the Comprehensive Plan Map for medium and high density residential areas.

3. Our experience has shown that successful projects need to have a full range of complimentary and compatible uses. When dealing with elderly housing projects, it is more than just how many dwelling units are accorded

Mayor Edwin J. Putzell, Jr.
December 13, 1988
Page 3

the project, it is providing amenities unique to the aging population to provide opportunities for independent and dependent living, and a rewarding quality of life. This housing type, therefore, since it takes on the characteristics of both residential and institutional land uses, does not always fall into a discrete land use classification which also supports the need for our amendment requests.

III. Existing Conditions

1. The property we are representing to you is located on Baily Lane, just off of Airport Road and is about 15 acres in size. It is bounded to the east by C-1 Commercial Zoning which permits professional office uses and C-2 Convenience Commercial located along the Airport Road frontage. It is bounded on the south by an approved PUD which permits an 8 acre office development and a church. It is bounded to the west by lands that are presently vacant and zoned Estates Residential. Lands to the north are presently vacant and zoned A-2 agricultural. (See attached Zoning Map.)
2. The land use designation recommended in the annexation element is for low density development which would permit a density of up to 6 units per acre. We believe a medium density land use designation provides a more appropriate transition between higher and lower intensity land uses based on land uses and zoning surrounding the property.

IV. Text Changes

The statutory requirements of 9J5, which is the Growth Management Legislation for the State of Florida, makes reference to the need for housing for the elderly and other groups with special needs. Specifically, housing objective Number 2 in your Housing Element states, "by 1992 review existing ordinances and regulations and implement necessary provisions to ensure a variety of housing in residential areas to meet lifestyles of all residents".

The text changes that we are recommending to the Housing Element, relating to ACLF Housing, Section C-7, is currently stated as follows in the proposed Housing Element without regard to any specific land use or zoning criteria:

An adult congregate living facility (ACLF) is located in the Moorings Park PUD (Planned Unit Development) and will be the City's first group living arrangement. A congregate living facility is one which provides for a period exceeding 24

Mayor Edwin J. Putzell, Jr.
 December 13, 1988
 Page 4

hours, housing, food service and personal services for four or more adults not related to the owner or manager. An ACLF differs from a nursing home in that a nursing home provides medical care. The Moorings Park facility has 284 units along with a 60 bed nursing facility. According to the Collier County housing element, Moorings Park has a licensed capacity of 565 adults but is at capacity with 420 residents as most units are not double occupancy. We propose to add the following language to this section:

- a. Land use intensity may be increased beyond that which is shown on the Comprehensive Land Use Plan Map provided impacts pertaining to traffic, schools, water and wastewater disposal, recreation, and similar kinds of facilities can be demonstrated to be generally similar to the Land Use Designation permitted on the Comprehensive Land Use Plan Map; provided the following criteria can be met:
1. Access shall be to collector arterial or in close proximity thereto.
 2. Where access is not directly provided to an arterial or collector street, ACLF Housing shall provide for an appropriate transition between areas of higher and lower density land uses.
 3. Rezoning is preferred to be the form of Planned Unit Developments in conjunction with the conditional use criteria of the Zoning Ordinance.
 4. Minimum front side and rear setbacks and landscaping shall be the same or similar and height shall generally be compatible with adjoining zoning districts and/or land uses.
 5. Complementary and compatible accessory uses shall be permitted within the project for the primary benefit of permanent residents including, but not limited to, medical facilities, miscellaneous support services, recreation, entertainment and the like.

We also propose an amendment to the Land Use Element of the Comprehensive Plan, specifically, Section C-1, Residential, setting forth the definition of Medium Density Residential. Our proposed language is denoted with underlining.

"Medium Density Residential" areas designated on the Future Land Use Map are intended to accommodate single and

Mayor Edwin J. Putzell, Jr.
December 13, 1988
Page 5

multifamily residential densities of up to a maximum of 12 dwelling units per net acre. Residential housing types in these areas may include traditional single family detached, cluster, and low profile multifamily structures. Medium density residential areas encourage the concentration of residential units with less open space per occupant than low density residential areas and may accommodate either transient, seasonal or permanent residents depending on the location.

(In some instances residential density may be increased above that shown on the Land Use Plan Map for Medium and High Density Residential Land Uses. See Section C-7, ACLF Housing, in the Housing Element for guidelines).

Conclusion

In summary, as a result of the rapidly growing expansion of the elderly population nationwide, changes in land plans and ordinances to facilitate this housing type have lagged behind need. We view our request as an opportunity to reverse this trend. To help us to accomplish this objective we propose to amend the Land Use Map to permit medium residential land uses rather than low density for the subject tract. Equally important for this and other similar ACLF projects to work, we need to amend the language in proposed Land Use and Housing Elements to assist us in providing opportunities for this housing type.

Thank you for your consideration in this matter, and the opportunity to appear before you at the Public Hearing on December 14.

Sincerely,

HOLE, MONTES & ASSOCIATES, INC.

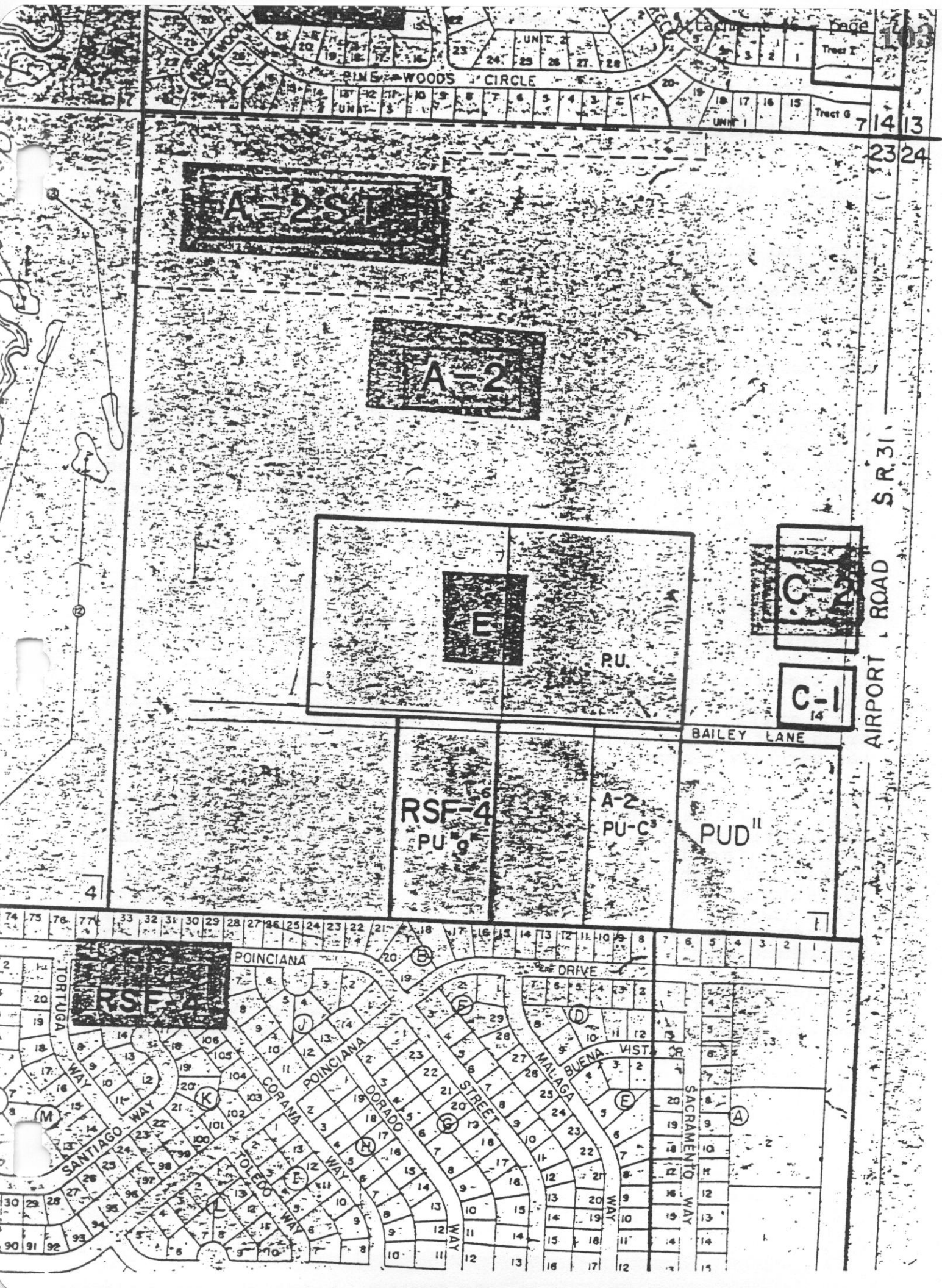


Robert Duane, A.I.C.P.
Planning Director

RD/mml

cc: Missy McKim
Steve Ball
Ann Walker

Attachments



A-2 ST

A-2

E
PU

C-1

C-1

BAILEY LANE

RSF-4
PU-9

A-2
PU-C

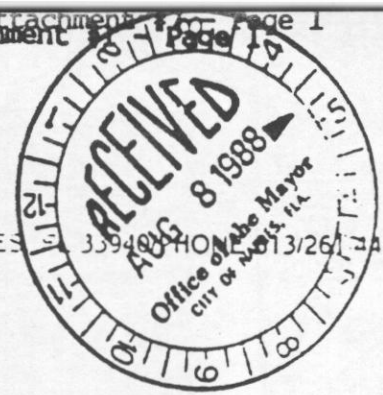
PUD II



AIRPORT ROAD S.R. 31

**COLLIER
ENTERPRISES**

IN THE CITY OF NAPLES, FLORIDA 33940



August 4, 1988

Mayor and Members of the City Council
City Hall
735 8th Street South
Naples, Florida 33940

Dear Council Members:

On June 23, 1988 we sent a letter to the Planning Advisory Board expressing our difficulty in assessing the effect of the newly proposed Growth Management Plan on our lands south of Airway Drive and west of the Airport. During the PAB public hearing on June 24, 1988, board members took unanimous action to correct these inconsistencies and designated our uplands on the future land use map as Limited Commercial land usage with site development to occur thru the PD rezoning and GDSEI process.

During the first public hearing before City Council on July 13, 1988, it had been stated that Council members had received from staff all documents and testimony of the PAB actions. Consequently, we did not reiterate our concerns for the record given the previous action taken by the PAB. It was unclear at the time that Council closed the July 13th meeting without taking action on our request and would then continue discussion with City staff's view points on July 20th. After reviewing the transcript of July 20th's meeting, the record shows our request was verbally discussed but no formal action taken by Council.

On August 3, 1988 in telephone conversation with Missy McKim, we were told that staff had designated the uplands back to Conservation limited/development which would only allow marina-related facilities or a park, but no residential, or commercial/light industrial land use compatible with airport operations. We were informed that if limited commercial and/or light industrial uses compatible with airport operations was desired by us, we would then have to amend the City's new Growth Management Plan.

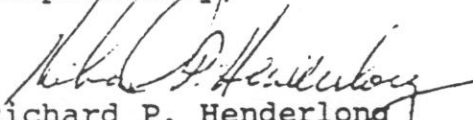
In view of the aforementioned, and the subsequent discussions undertaken during the July 20th meeting, it remains unclear as to the City Council's future land use intentions for our properties.

As per our discussion with Mrs. McKim, we are therefore requesting the opportunity to resolve this matter with City Council during a workshop meeting.

We would particularly be interested in knowing the reasons why Council would not permit limited commercial and light industrial land uses compatible with airport operations, especially when such uses are currently allowed under the existing Comprehensive Plan and nothing, to our knowledge, has changed to warrant the exclusion of these uses.

Your favorable response would be sincerely appreciated and helpful to us to determine how we can utilize our properties.

Respectfully,


Richard P. Henderlong
Director of Planning

cc: Frank Jones
Missy McKim

1973-1987

RECENT
BERM

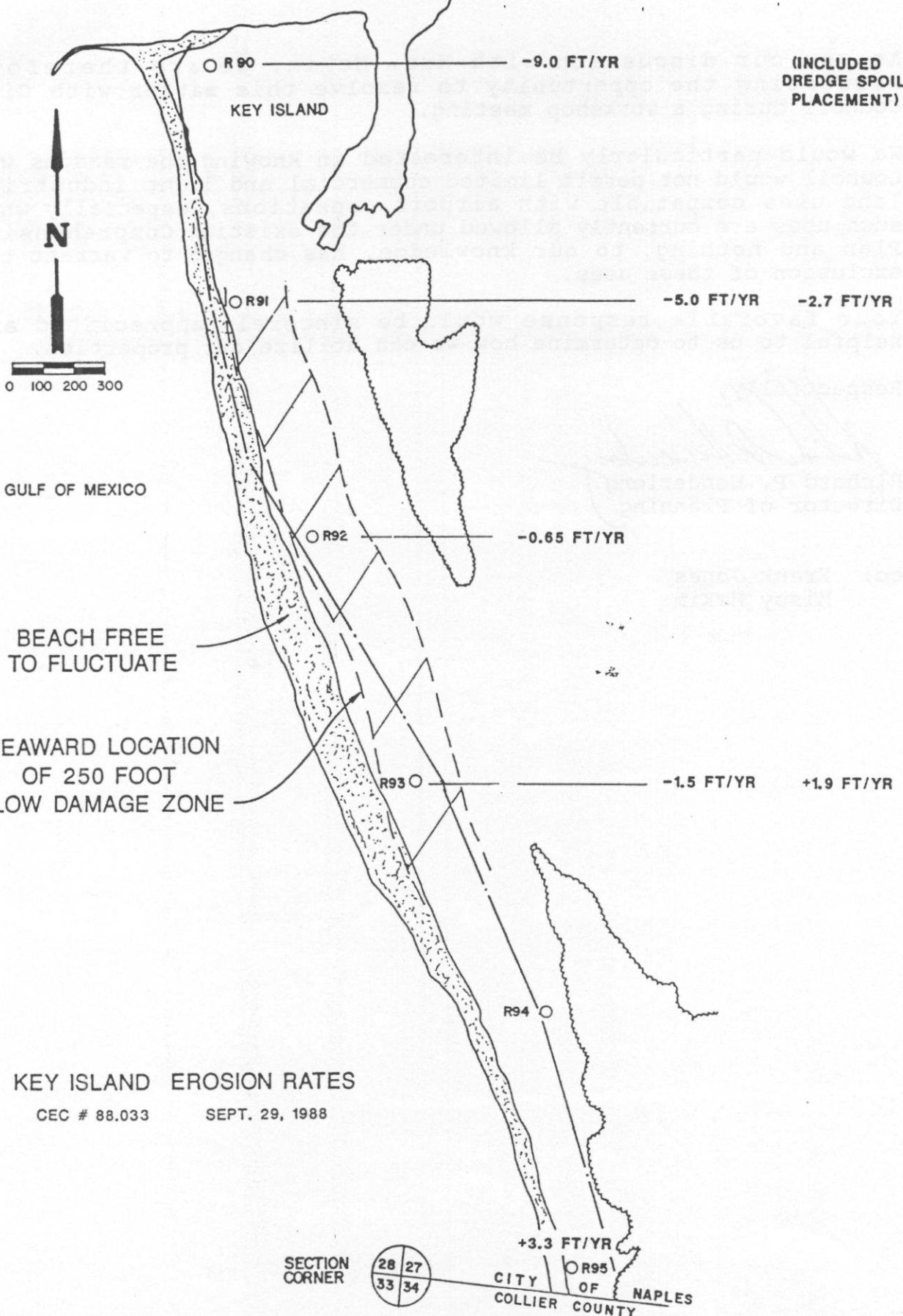
1981-1985

BERM
23 YEAR

1962-1985

GORDON PASS

(INCLUDED
DREDGE SPOIL
PLACEMENT)



KEY ISLAND EROSION RATES

CEC # 88.033

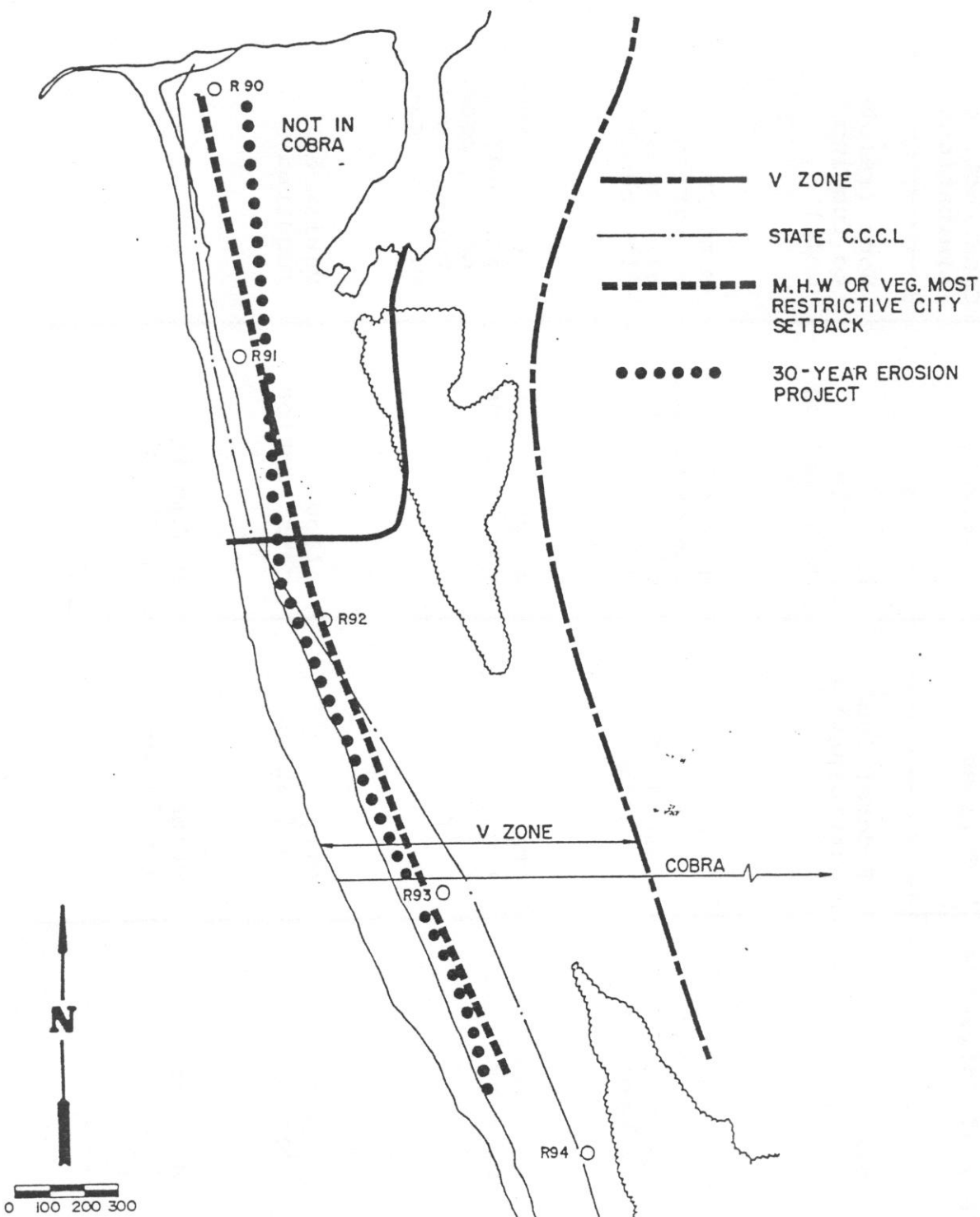
SEPT. 29, 1988

SECTION
CORNER



CITY OF NAPLES
COLLIER COUNTY

GORDON PASS



**JURISDICTION BOUNDARIES
CITY, STATE, & FEDERAL**

C.E.C. 85.043 DEC. 13, 1988

SECTION
CORNER



CITY OF NAPLES
COLLIER COUNTY

DESCRIPTION OF COASTAL REGULATION

Designation	Area of Influence	Purpose	Activity	Construction Limitations
COBRA	Barriers	Federal fund participation	Allows private construction	None (relates to funding only)
FLOOD ELEVATION A-Zone V-Zone	Inland Seaward	Insurance Coverage	Allows construction private and public	Minimum Elevation Slab const. Pile const.
C C C L	Seaward barrier	State regulation	Allows construction	Elev. & siting criteria, const. codes (wave forces, wind forces)
City Setbacks CCCL 75 veg. 150 MHW	Seaward barrier	City regulation	Allows construction	Variance required
30 Year Erosion Projection	Seaward Prohibition Line	State regulation	Prohibits construction	

Description of Designated Lines

- I COBRA Coastal Barrier Resources Act, 1982
 (Public Law 97-348)
1. Conservation recommendations
 2. Effects on revenue sharing grants
- II V-ZONE The V-Zone is a zone recognized and established by the Federal Emergency Management Agency (FEMA). Within this zone specific building standards and structural elevations must be met in order to be eligible for federal flood insurance. The V-Zone is a "velocity" zone in which wave impact is expected to be incurred during a 100-year return interval storm event.
- III C C C L The Coastal Construction Control Line (CCCL) is established by the Florida Department of Natural Resources (FDNR) pursuant to Section 161.053, Florida Statutes. The CCCL represents a permitting line of state jurisdiction in which specific siting and design considerations must be made in order to
- i) minimize impact to the beach and dune system
 - ii) minimize impact to the adjacent property
 - iii) meet specific design standards and structural elevation requirements set forth by the FDNR
 - iv) minimize interference with lateral public beach access, where it exists.
- IV 30-Year Erosion Projection Line
- The 30-year erosion projection is the projected location of the seasonal high water line in thirty years. The projection is based on long-term erosion rates established by the FDNR and is established as a prohibitive setback by the FDNR across a parcel of property pursuant to Subsection 161.053(6), Florida Statutes. The 30-year erosion projection is established on a parcel of property when an individual applies to the FDNR for a CCCL permit on that property. There are, however, exemptions from this setback for single-family dwellings meeting specific siting criteria established in Section 161.053, Florida Statutes.

Sea Level Rise

The Committee on Engineering Implications of Changes in Relative Mean Sea Level sponsored by the National Research Council has published a factual report on Sea Level Rise. Their recommendations state that:

"The prognosis for sea level rise should not be a cause for alarm or complacency. Present decisions should not be based on a particular sea level rise scenario. Rather those charged with planning or design responsibilities in the coastal zone should be aware and sensitized to the probabilities and quantitative uncertainties related to future sea level rise."

With regard to the projection of sea level rise they state:

"The general shape of these (predictive) curves is concave upward with greater rates of rise in the distant future than in the next decade or so. The confidence that these scenarios will encompass the actual levels decreases with increasing time and significant deviation outside the range of these scenarios are possible, including an amelioration

js

in the rate of rise. Thus, the committee recommends that these projections be updated approximately every decade to incorporate additional data and to provide an improved basis for planning and response to the rise."

Thus, it has been stated by experts in this field that it is premature to base policy decisions on currently available information. More data is needed.

Dr. Robert Dean, Professor at the University of Florida, served as the Chairman of the National Research Council Committee on Sea Level Rise. In a paper, orally presented at the recent State-wide Annual Meeting of the Florida Shore and Beach Preservation Society, Dr. Dean presented factual data compiled by the committee. He stated sea level is now rising by 0.8 feet per century in Florida and that more data is needed over the next decade to refine the predictions currently available.

The Conservancy

Offices and Nature Center • 1450 Merrihue Drive • Naples, Florida 33942 • 813-262-0304

(located off Goodlette Road at 14th Avenue North)

December 12, 1988

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Honorable Edwin J. Putzell, Jr., Mayor
City of Naples
735 8th Street South
Naples, Florida 33940

Dear Mayor Putzell:

As you know, The Conservancy, Inc. has been an active participant in the process that will culminate in early January with the adoption of a new Comprehensive Plan for the City of Naples. The Conservancy's comments on the Comprehensive Plan have to date focused on the protection and effective management of the City's vital coastal barrier and estuarine resources.

Throughout the comprehensive planning process, The Conservancy has repeatedly stated its position that all areas of Key Island under the jurisdiction of the City should be designated as Conservation/Vital Areas and managed accordingly. For this reason, The Conservancy supports the Planning Advisory Board's action, this past Wednesday night, re-emphasizing their previous recommendation that the high hazard area within the Federally-designated Key Island Coastal Barrier (COBRA) Unit be classified as Conservation/Vital Areas. This action, along with supportive data and analyses, is a good step toward meeting the 9J-5 requirement that the Plan contains one or more objectives which "direct population concentrations away from known or predicted coastal high-hazard areas" (F.A.C.9J-5.012).

At the first reading of the ordinance to amend the Naples Comprehensive Plan on Wednesday, December 14, the City Council will decide whether to adopt the Planning Advisory Board's recommendation regarding the Conservation/Vital Areas designation for high hazard areas within the Key Island COBRA Unit. Enclosed with this letter you will find a report prepared this summer by Dr. Harold Wanless of the University of Miami. The Conservancy hired Dr. Wanless, eminent South Florida coastal geologist, to assess the

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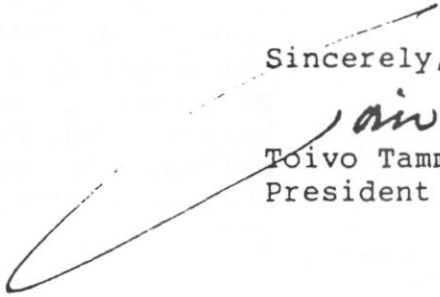
Roger N. Williams, M.D.

Honorable Edwin J. Putzell, Jr., Mayor
December 12, 1988
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proposed Key Island development from the perspective of elevation, erosion and shore stability, sea level rise, and hurricane effects. Dr. Wanless will be present at the December 14 meeting to address his Key Island assessment as it relates to your upcoming decision.

In closing, I urge you to endorse the Planning Advisory Board's recommendation and vote to designate high hazard areas within the Key Island COBRA Unit as Conservation/Vital Areas. Thank you.

Sincerely,



Toivo Tammerk
President

Enclosure

cc: Members of the Naples City Council
Members of the Naples Planning Advisory Board
Frank Jones, City Manger
David Rynders, City Attorney
Missy McKim, Dir., Community Development
Dr. Jon Staiger, Natural Resources Director

- D. The last paragraph in section (f) High Hazard Areas on page 58 of this element will read:

This policy directs population concentrations away from high hazard areas by limiting development to those areas as shown on the future land use map. Therefore, a limited amount of development may be permitted on Key Island provided the following conditions exist: no public funds will be used for required infrastructure; any development orders issued for this area must consider that the majority of the development has been proposed for areas outside of the high hazard area; beach and dune protection systems must be provided; and adequate hurricane evacuation plans have been provided.

2. Conservation and Coastal Management Element

- A. Policy 2-9, on page 5 of this element, pertaining to development in the high hazard area will read as follows:

"The Community Development Department will develop and recommend to City Council two conservation zoning districts: (1) Providing for conservation/vital areas; and, (2) providing for conservation/limited development areas which include high hazard areas. These zoning districts will be consistent with the goal, objectives and permitted uses stated in the Conservation and Coastal Element of this plan."

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