



SITE PLAN

Petition Application

Pre-Application Meeting Date: _____

Petitioner: WSR Naples Square Commercial, LLC, a Florida limited liability company

Address: 3066 Tamiami Trail North, Suite 201, Naples, Florida 34103

Phone: (239) 649-6310 Email: solomona@ronto.com and taylorm@ronto.com

Agent for Petitioner: Barraco and Associates, Inc. c/o Steve Coleman

Address: 2271 McGregor Blvd., Suite 100, Fort Myers, Florida 33901

Phone: (239) 461-3170 Email: stevec@barraco.net and laurenc@barraco.net

Property Owner: WSR Naples Square Commercial, LLC, a Florida limited liability company

Address: 3066 Tamiami Trail North, Suite 201, Naples, Florida 34103

Phone: (239) 649-6310 Email: solomona@ronto.com and taylorm@ronto.com

Address of Subject Property: Southwest corner of Goodlette-Frank Road and 3rd Avenue South

Full Legal Description: Tract "C-1", Naples Square Commercial South according to the plat thereof, as recorded in Plat Book 71, Page 1, of the Public Records of Collier County, Florida (the "Property").

Size of Parcel: ±0.94 acres

Existing Zoning: Planned Development (PD)

Current Use of Land: Temporary construction trailer and parking

Applicable Section(s) of the Land Development Code: Sec. 46-33

Petition Request and Summary of Facts:

The purpose of this request is to amend the Administrative Site Plan approved as part of 20-SP14 to depict the building footprint of Commercial Pad "C". Utilities, drainage and associated parking were approved as part of 20-SP14, and no changes are proposed.

In signing below I acknowledge and attest that I am the owner of the property described above and/or the duly appointed representative of the owner(s) of the property described above; that I understand the nature and ramifications of this petition relative to the property; that I hereby authorize the petitioner and their agent to represent the property during any deliberations regarding this petition; that I allow access to the property by City staff and City elected and appointed officials for the purpose of inspecting the premises relative to this petition; that all information contained in this petition and associated materials is correct; that any incorrect information may render the final decision and recommendations on this petition void; and that I have read the Proposed Policy Guidelines for Presentation of Petitions to the Naples City Council approved under Resolution 01-9397.


Anthony Solomon
Printed Name of Property Owner


Signature of Property Owner

4.26.22
Date

In signing below I acknowledge that I am the authorized petitioner for this petition and I attest to the accuracy of all information contained in this petition and associated materials; that I understand that any incorrect information may render the final decision and recommendations on this petition void; and that I have read the Proposed Policy Guidelines for Presentation of Petitions to the Naples City Council approved under Resolution 01-9397.

Anthony Solomon
Printed Name of Petitioner


Signature of Petitioner

4.26.22
Date

In signing below I acknowledge that I am the authorized petitioner's agent for this petition and I attest to the accuracy of all information contained in this petition and associated materials; that I understand that any incorrect information may render the final decision and recommendations on this petition void; and that I have read the Proposed Policy Guidelines for Presentation of Petitions to the Naples City Council approved under Resolution 01-9397.

Steve Coleman
Printed Name of Petitioner's Agent


Signature of Petitioner's Agent

04/27/2022
Date

Comprehensive Plan

At the quasi-judicial hearing and as part of the following application, the petitioner has the burden of proving by competent, substantial evidence that the petition request is consistent with the City of Naples Comprehensive Plan and the relevant Goals, Objectives and Policies of all elements contained therein.

Future Land Use Designation of the Subject Property: Downtown Mixed Use District

Identify the applicable Goals, Objectives, and Policies and describe how the petition request is compatible with each:

The depiction of the building footprint of Commercial Pad “C” proposed under this application to amend previously approved Resolution 2021-14639 has no impact on the Goals, Objectives and Policies of the Future Land Use Designation. Petitioner nonetheless submits that the proposed development complies with and promotes city plans and planning policies in multiple ways.

The proposed development will strengthen the economic health and vitality of the city articulated as a Critical Element Goal in the Vision Plan for the City of Naples and maintain the viability of the commercial areas of the city that provide services of value to residents as stipulated in Objective 14 of the Vision Plan.

The Property is located in the Downtown Mixed Use District on the Future Land Use Map under the Naples Comprehensive Plan. The Future Land Use Element of the Naples Comprehensive Plan describes the following objectives for the Downtown Mixed Use District:

- (i) Enhance building aesthetics and appearance.
- (ii) Encourage a cohesive and integrated district.
- (iii) Promote pedestrian access and activity.
- (iv) Encourage mixed uses.
- (v) Emphasize an orderly pattern of circulation for both vehicular and pedestrian traffic.
- (vi) Enhance streetscape in the rights-of-way and median.
- (vii) Encourage quality urban design including street lighting, landscaping and consistent signage.

The Property is zoned “PD” Planned Development based on development and design standards promulgated under the D Downtown District. The Naples Code of Ordinances describes the following objectives for the D Downtown District:

- (i) To promote the orderly redevelopment of the downtown area;
- (ii) To improve the aesthetics and physical appearance of the downtown area;
- (iii) To provide for a prosperous, viable downtown;
- (iv) To encourage fulltime residential use in the downtown area;
- (v) To recognize and promote the role of the medical community in the area;
- (vi) To retain and promote the establishment of a variety of consumer and service businesses so that the needs of the area’s residential and working populations will be satisfied;
- (vii) To reinforce the role of the downtown as a community center and a meeting place for residents, tourists, and visitors;
- (viii) To encourage mixed-use, infill development, particularly residential and retail;
- (vix) To promote pedestrian-friendly streets.

The Property is located in the City of Naples Community Redevelopment Area east of the Fifth Avenue South Special Overlay District. The CRA Plan describes the following objectives for the Community Redevelopment Area:

- (i) Development of a city-wide pathways system.
- (ii) Linkage with the Gordon River.
- (iii) Goodlette-Frank Road streetscaping.
- (iv) Provision of opportunities for greater pedestrian life.
- (v) Improvement of the visual quality of the public realm.
- (vi) Provision of bicycle paths.
- (vii) Integrated extension of Downtown.

The Property is located in an area adjacent to and across the street from an area designated in the Naples Redevelopment Plan as amended January 15, 2014 as the Fifth Avenue Extension. The Redevelopment Plan describes the following objectives for the Fifth Avenue Extension:

- (i) Encourage pedestrian mobility and a more continuous pedestrian experience;
- (ii) Provide consistent retail, restaurant, and residential uses;
- (iii) Eliminate front yard parking lots;
- (iv) Activate the street frontage;
- (v) Seemlessly transition setbacks, building heights, and architecture;
- (vi) Create an interesting pedestrian connection between Naples Bay and its C-2A Waterfront District and Fifth Avenue South and its Special Overlay District; and
- (vii) Consider the potential for a parking deck with first floor liner retail space on 6th Avenue South.

The foregoing organic city planning documents for the Property therefore collectively contemplate:

- encouraging development that facilitates a pedestrian linkage between the Fifth Avenue South Special Overlay District and Naples Bay,
- energizing the street frontage with activated uses to promote pedestrian mobility, and
- providing for an integrated, cohesive and pedestrian oriented downtown.

The development proposed by this application will promote these objectives by creating a dynamic linchpin connecting Fifth Avenue South, the Gordon River and Baker Park and, with the proposed Cultural Arts Campus anchoring the northeast corner of Naples Square, providing the kind of catalyst for redevelopment in the Downtown District that the Inn on Fifth, the Sugden Theater and the city's first municipal parking garage on 4th Avenue created for Fifth Avenue almost 25 years ago. The development will accordingly have a beneficial effect both upon the area of the city in which it is proposed to be established and upon the city as a whole.

Land Development Code

The Site Plan review process shall provide for the review of new multiple family or non-residential projects in the City according to Building Code, Fire Safety Code, Land Development Code and other applicable regulations administered by the City prior to the submission of plans for building permit review or other zoning petitions.

Section 46-33(g) of the City of Naples Land Development Code provides the criteria considered for approval of a Site Plan. As part of the following application, the petitioner has the burden of proving by competent, substantial evidence that the following criteria have been met.

g. *Standards for review.* The purpose of Site Plan review is to:

- 1) Determine the impact of the project on level of service standards and consistency with the Comprehensive Plan, Code and applicable regulations.

The impact of the project on level of service standards and consistency with the Comprehensive Plan, Code and applicable regulations was determined when the Planned Development was adopted. The depiction of the building footprint of Commercial Pad "C" proposed under this application has no impact on the level of service standards and consistency with the Comprehensive Plan, Code and applicable regulations.

- 2) Encourage logic, imagination, innovation and variety in the design process.

The project encourages logic, imagination, innovation and variety in the design process by activating the entrance to the mixed use development, providing an amenity and service to its residents and the community at large, and promoting redevelopment in the Community Redevelopment Area.

- 3) Make certain that the proposed development is compatible with its surrounding area.

The proposed commercial building is part of a Planned Development approved by Naples City Council and is compatible with the surrounding area as an outparcel with a commercial use on a major thoroughfare within a mixed use development.

- 4) Ensure appropriate planning and to require the necessary improvement with respect to:

a. Vehicular entry and exit drives.

Ingress and egress to the Property and the proposed structures thereon will be adequate and not potentially detrimental to existing or anticipated uses in the vicinity and particularly not detrimental to property immediately adjacent to the subject site. The project vehicular entry and exit drives were reviewed and approved as part of Site Plan Application 20-SP14. No changes are proposed by the depiction of the building footprint to Commercial Pad "C" proposed under this application.

b. On-site vehicular circulation.

As previously approved, the project proposes vehicular parking area with 24' drive aisles, two driveway connections along 12th Street South. No changes are proposed by the depiction of the building footprint to Commercial Pad "C" proposed under this application.

c. Accessways for emergency and service vehicles.

As previously approved, the parking lot is designed with minimum radii to ensure access for emergency and service vehicles. No changes are proposed by the depiction of the building footprint to Commercial Pad "C" proposed under this application.

d. The impact of traffic generated by the project on traffic patterns and volumes on adjoining and nearby streets and the adequacy of such streets to accommodate such traffic.

The TIS was reviewed and approved as part of Site Plan Application 20-SP14. This request is consistent with the square foot assumption of the previously approved TIS. No changes are proposed by the depiction of the building footprint to Commercial Pad "C" proposed under this application.

e. The adequacy of public utilities.

Public utilities are adequate to accommodate the proposed development.

f. The adequacy of buffers between the project and adjoining dissimilar uses.

Please see the attached Site Development Landscape Plans for buffer locations.

g. Off-site improvements necessitated by the traffic or other aspects of the proposed project.

None proposed.

Residential Impact Criteria

Pursuant to Section 46-43(d), petitions which result in the establishment, expansion or intensification of a commercial activity on property containing residential units, within 300 feet of a property containing residential units, or within 300 feet of a property zoned for residential use, shall also comply with the following Residential Impact Criteria:

- (1) Illumination. Illumination levels shall not exceed 0.5 footcandle at the lot lines of the subject property. In addition, the standards for illumination set forth in Section 56-89 shall also be met.

Illumination levels will not exceed 0.5 footcandle at the lot lines of the Property and the standards for illumination set forth in section 56-89 will be met.

- (2) Noise. Physical barriers exist and operation plans are in place to insure that noise levels shall be consistent with those identified in Section 22-37. Businesses with external speakers such as outdoor live entertainment, drive-thru lanes and automotive dealerships, must take measures to ensure that speakers are pointed away from residences and sound is buffered.

The operators of the proposed commercial establishment will control noise levels to ensure an environment conducive to the peace and quiet of surrounding residents. No businesses with external speakers are contemplated.

- (3) Parking and access. Parking must meet the minimum requirements and be adequate to avoid any overflow into the residential area. Parking areas shall be situated and buffered to avoid impacting the residential areas. Primary vehicular ingress and egress shall, where possible, be located to avoid conflict with traffic in the residential area. Pedestrian connections with public sidewalks and residential areas are encouraged.

Parking in the Downtown District of the Planned Development in which the Property is located meets the Code requirements for uses proposed in the Downtown District and accommodates overflow parking in the Downtown District for the benefit of the Residential District without any overflow into or impact on the residential area. Pedestrian connections with public sidewalks are provided in the Linear Public Park Easement Area adjacent to Goodlette Road and, internal to the development, with sidewalks along the western perimeter of the Downtown District.

- (4) Landscape buffer. Landscaping provides adequate screening between the commercial activity and the residential units including buffering noise and the glare from vehicular headlights. Based on the project design and surrounding development patterns, additional landscaping and screening may be required to provide adequate buffering as determined by the City Council. Where possible, existing landscaping buffers shall be upgraded to meet or exceed the requirements of Chapter 50, Article III, Landscaping and Tree Protection.

Significant landscape buffers are proposed to provide adequate screening between the commercial activity and the residential units.

- (5) Mitigation of hazardous or adverse impacts. All hazardous or adverse impacts to adjacent residences in adjacent residential zoning shall be adequately addressed in a mitigation plan to minimize or eliminate such hazardous or adverse impacts. The City reserves the right to require additional mitigation when it finds the identified impacts are not adequately addressed.

No hazardous impacts to residences in adjacent residential zoning are proposed.

- (6) Hours of operation. Where the proposed hours of operation extend to between 9:00 pm and 8:00 am, the security measures shall be taken to insure monitoring of the premises including parking areas.

Appropriate security patrols of the Property will be conducted between 9:00 p.m. and 8:00 a.m. to ensure the monitoring of the premises, if the business on the Property proposes to operate during those hours.