



# CONDITIONAL USE

## Petition Application

**Pre-Application Meeting Date:** \_\_\_\_\_

**Petitioner:** Port Royal Club, Inc., a Florida not for profit corporation

Address: 2900 Gordon Drive, Naples, FL 34102

Phone: 239-529-3022 Email: Jeff@portroyalclub.org

**Agent for Petitioner:** John M. Passidomo, Esq.

Address: 821 5<sup>th</sup> Avenue South, Naples, FL 34102

Phone: 239-261-9300 Email: jmpassidomo@napleslaw.com

**Property Owner:** Port Royal Club, Inc., a Florida not for profit corporation

Address: 2900 Gordon Drive, Naples, FL 34102

Phone: 239-529-3022 Email: Jeff@portroyalclub.org

**Address of Subject Property:** 2900 Gordon Drive, Naples, FL 34102

Full Legal Description: Lots 3, 4, 5, and 6 in Block B, Gulf View Estates, City of Naples, as on plat recorded in Plat Book of Undivided Block D in said plat, and of vacated Gordon Drive, lying north of south line of said Lot 3 produced east to re-located Gordon Drive, according to Resolution of the Town Council of Naples recorded in Misc. Book 2, Page 150, Collier County Records.

Size of Parcel Approx. 5.54 acres

Existing Zoning: PS – Public Service District

Current Use of Land: Beach Club destroyed by Hurricane Ian, but previously comprising a clubhouse with food and beverage facilities, banquet areas, pool, and beach access/service.

Applicable Section(s) of the Land Development Code: Sec. 56-833 (CUP); Sec. 50-103 (VPP); and Sec 50-107 (PNA).

Petition Request and Summary of Facts:

In 1959, recognizing a need for the residents of Port Royal to have a community gathering place for their families and guests, Glenn Sample hired John Volk to design the original Port Royal Club. Since there were so few restaurants in town, dining played a significant role in the vision for the Club and collegiality and an enduring sense of community permeated the Club's founding inspiration, sustained it over the years, and stimulated its growth through a series of renovations and expansions for more than 60 years.

On September 28, 2022, Hurricane Ian made landfall. The Port Royal Club was substantially damaged causing the City of Naples to render a "Substantial Damage Determination" for the Club's beachfront clubhouse facilities. The Club proposes to demolish the existing structure and rebuild a new clubhouse on the Property. The proposed redevelopment comprises a 51,692 square-foot gross floor area, as defined in 44-8 of the Naples Land Development Code ("Code"), two-story structure with dining areas and event facility/assembly spaces, a swimming pool, gardens and terracing, related amenities and a one-story grade level functionally attached parking garage.

This Conditional Use Application requests approval for:

1. A beach club, including, by way of example, but without limitation, food and beverage facilities, dining rooms and banquet facilities, board and meeting rooms, outdoor open air and tented event venues, lounges and bars, recreational areas, facilities and amenities, swimming pools and spas, and parking garages adjacent to the clubhouse facility, and accessory uses and structures which are incidental to and customarily associated with the aforementioned use;
2. Site specific Valet Parking Plan pursuant to Sec. 50-103 of the Code; and
3. Site specific Parking Needs Analysis pursuant to Sec. 50-107 of the Code.

A Declaration of Covenants and Deed Restrictions accompanies this application to establish how the entire 11.06 acres which comprise the Port Royal Club will collectively function as one private club to accommodate the Club's cumulative parking requirements.

The Port Royal Club respectfully requests approval of this Conditional Use Application.

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 Section 10 Special Procedures for Quasi-Judicial Proceedings and Administrative Appeals adopted by City Council under Resolution 2023-15019.

The Port Royal Club, Inc., a Florida  
not for profit corporation  
By: Jeff Hartigan

Its: General Manager

Printed Name of Petitioner



Signature of Petitioner

3/25/24  
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 Section 10 Special Procedures for Quasi-Judicial Proceedings and Administrative Appeals adopted by City Council under Resolution 2023-15019.

The Port Royal Club, Inc., a Florida  
not for profit corporation  
By: Jeff Hartigan

Its: General Manager

Printed Name of Petitioner



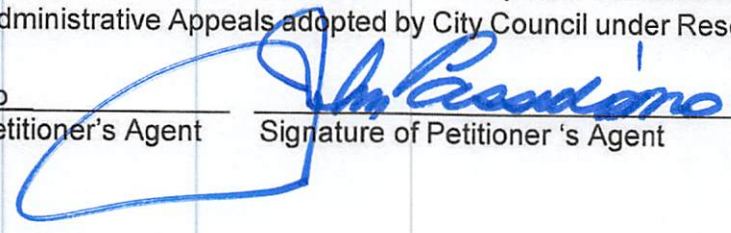
Signature of Petitioner

3/29/24  
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 Section 10 Special Procedures for Quasi-Judicial Proceedings and Administrative Appeals adopted by City Council under Resolution 2023-15019.

John M. Passidomo

Printed Name of Petitioner's Agent



Signature of Petitioner's Agent

3.25.24  
Date

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: Recreation – Public, Semi-Public, Private.

Identify the applicable Goals, Objectives, and Policies and describe how the petition request is compatible with each: The proposed improvements align with the relevant Goals, Objectives and Policies of the Naples Comprehensive Plan including the Vision Work Plan and Future Land Use Elements, as indicated below.

### Vision Work Plan

This Conditional Use Application contributes to the City’s Vision Work Plan goal by:

- (1) Promoting the City’s core Vision Work Plan Goal to “preserve the City’s distinctive character and culture” by reincarnating the Club’s rich cultural heritage of collegiality.
- (2) Promoting the City’s Vision Work Plan Goal to “make Naples the green jewel of southwest Florida” by replacing and expanding the club’s historic lush landscaping, and proposing a maximum lot coverage of nearly fifty percent (50%) below the maximum lot coverage permitted by the Naples Code. The landscape plan prepared by OPI dated October 16, 2023 which was included in the approved administrative site plan for the project illustrates the extensive landscape and hardscape details to buffer the perimeter of the Property from adjacent residences.
- (3) Promoting the City’s Vision Work Plan Goal to “maintain an extraordinary quality of life for residents” by sustaining the Club facilities for the benefit of the residents of the surrounding community and accommodating pent up demand for club services in what even before the onslaught of the storm surge from Hurricane Ian were increasingly inadequate club facilities. The proposed improvements have been carefully designed and engineered to not only address the aftermath of the hurricane but also to stand the test of time by providing a safer and more resilient environment for members of the Port Royal Club, even in the face of future natural disasters.

## Future Land Use Element

This Conditional Use Application is consistent with the Goals, Objectives and Policies of the Future Land use Element (FLUE) as described below:

- (1) Policy 1-2.1: “Encourage professional standards of architectural and urban design, site planning, and landscaping for all new projects.”

The architectural, landscaping and site plans included in the approved administrative site plan for the project were prepared by esteemed architects, landscape architects and engineering professionals to promote professional standards of excellence.

- (2) Policy 1-3: “Preserve and protect stable residential neighborhoods through development practices that promote compatibility and consistent character.”

The proposed improvements align with this policy as there is no anticipated impact on the level of service or change to traffic circulation patterns. Accordingly, the proposed improvements preserve and protect the character of the neighborhood and maintain the existing traffic flow and overall convenience for residents. Additionally, as depicted on the approved landscape plan for the project, lush landscaping will buffer the development from the public rights-of-way and adjoining residences. The approved architectural plans and master site plan have been embraced by overwhelming majorities of the Port Royal community after Club leadership’s extensive outreach to and engagement with the community and its Club members. The plans have accordingly been accepted by the surrounding residential community as promoting compatibility and consistent character within the community.

- (3) Policy 1-8.4: “Enforce existing development standards for stormwater management as defined in Policy 1-10 of the Public Facilities and Water Resources Element.”

There is currently no stormwater management system on the Property. This application proposes a stormwater management system that exceeds the City of Naples Stormwater Ordinance stormwater quality requirements by 79%.

- (4) Policy 1-10: “New development, redevelopment, and reuse shall be evaluated

to identify potential linkages to pedestrian walkways.” Two new connections to the existing sidewalk along Gordon Drive are proposed, with one located to the north and the other to the south of the main entrance.

## Land Development Code

Section 46-34(d) of the City of Naples Land Development Code provides the criteria considered for approval of a Conditional Use. 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 following criteria have been met. In its deliberations concerning the granting of a Conditional Use, the Planning Advisory Board and City Council shall carefully consider the following guidelines and standards:

- 1) Ingress and egress to the subject property and the proposed structures thereon, with particular reference to automotive and pedestrian safety and convenience, traffic generation flow and control, and access in case of fire or catastrophe, shall 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.

Ingress and egress to the Property is adequate and not potentially detrimental to existing or potential uses in the vicinity and particularly not detrimental to property immediately adjacent to the subject site. The proposed redevelopment will have no adverse impact to automotive or pedestrian safety or convenience, traffic generation flow or control, or access in case of fire or catastrophe. Emergency and service vehicles will continue to have access to the building/parking lots from Gordon Drive and via the internal drive aisles.

- 2) Off-street parking and loading areas, where required or requested by the property owner, shall be adequate and well-designed, and relate well, in terms of proximity, access and the like, to the uses intended to be serviced, with particular attention to the items listed in subsection (d)(1) of this section and the smoke, noise, glare, dust, vibrations, fumes, pollution or odor effects related to the vehicular use area or the conditional use, and such shall not be detrimental to the adjoining properties in the general area.

Vehicular parking and loading facilities are appropriate for the particular use involved, are equal or exceed the level of design and construction quality required of similar land development elsewhere in the city and meet the actual anticipated parking demand for the proposed redevelopment of the Property. Off-street parking is accordingly adequate and well designed; relates well in terms of proximity, access and the like to the uses intended to be served; will not generate smoke, noise, glare, dust, vibrations, fumes, pollution or other effects related to the vehicular area; and will not be detrimental to the adjoining properties in the general area.



- 3) Refuse and service areas, with particular reference to the items listed in subsections (d)(1) and (2) of this section, shall be adequately screened so as not to be visible from adjacent properties or a public right-of-way and shall be located in such a way as not to be a nuisance, by virtue of smoke, noise, glare and the like, to adjacent properties.

Lush landscaping will buffer the development from the public rights-of-way and adjoining residences. Accordingly, refuse and service areas are adequately screened so as not to be visible from adjacent properties or a public right of way and are located in such a way as to not be a nuisance by virtue of smoke, noise, glare and the like, to adjacent properties.

- 4) Utilities, whether public or private, shall be adequate and not detrimental with reference to location, availability, adequacy and compatibility.

City staff's administrative site plan sufficiency review has determined that utilities are adequate and otherwise not detrimental with reference to location, availability, adequacy or compatibility to serve the redeveloped beach club proposed under this application.

- 5) Screening, buffering or separation of any nuisance or hazardous feature, with reference to type, dimensions and character, shall be fully and clearly represented on the submitted plans and shall be adequate to protect adjacent properties.

There are no nuisance or hazardous features associated with the proposed redevelopment of the beach club.

- 6) Proposed signs and exterior lighting shall be considered with reference to glare, traffic safety and compatibility and harmony with surrounding properties and shall be determined to be adequate, safe and not detrimental or a nuisance to adjacent properties.

Proposed signs and exterior lighting comply with City Codes, do not create glare, traffic safety or compatibility concerns and are otherwise in harmony with surrounding properties. They are therefore adequate, safe and not detrimental or a nuisance to adjacent properties.

- 7) A determination shall be made that the proposed development will not hinder development of the nearby vacant properties with a permitted use in the subject zone district.



The proposed redevelopment of the beach club facilities will not hinder development of nearby vacant properties with a permitted use in the subject zone district.

- 8) The land and buildings which are involved shall be adequate, in terms of size, shape, type of building and the like, to ensure compatibility with the proposed conditional use.

The land and buildings within the development and the area devoted to each functional portion of the development is and, with the development proposed under this application, will continue to be, mutually dependent and additive to each other. Streets, utilities, drainage facilities, recreation areas, building heights, sizes and yards, and vehicular parking and loading facilities are appropriate for the particular use involved, and are equal or exceed the level of design and construction quality required of similar land development elsewhere in the city, greatly exceed the stormwater management requirements prescribed in the Naples Code of Ordinances for new development, and right size the parking supply to meet the actual anticipated parking demand for the proposed redevelopment of the Property.

- 9) The proposed development shall be compatible and appropriate with respect to adjacent properties and other property in the district and geographic area.

No change to the land uses within the Port Royal Club is proposed under this application. The club facilities are a catalyst promoting a sense of community for members of the Port Royal community. The proposed redevelopment of the beach club will build on this solid foundation of neighborly engagement and quality of life for members. The land uses within the development are accordingly appropriate in their proposed location, in their relationships to each other, and in their relationships with uses and activities on adjacent and nearby properties.

- 10) The collective impact of similar non-residential conditional uses shall not result in a single service district or have a negative effect on adjacent property values.

The improvements proposed under this application promote the City of Naples Vision Plan's Core Goal to preserve the Town's distinctive character and culture and Critical

Element Goal to maintain an extraordinary quality of life for residents by maintaining and improving amenities that have existed for club members in the surrounding Port Royal community for decades. Implicit to the Core Goal is its emphasis on “maintaining those social functions, public or private, that give the community the events that make it special”; “keeping an ambience and experience which is often described as ‘small town’”; and “helping build a sense of community working together for the common good” as articulated in the Vision Document. The Port Royal Club has striven to manifest these aspirations in the redevelopment plans for the beach club.