



# SITE PLAN

## Petition Application

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

**Petitioner:** WSR Naples Square Commercial, LLC

Address: 3185 Horseshoe Drive South – Naples, FL 34104

Phone: (239) 649-6310                      Email: odonnellj@ronto.com

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

Address: 2271 McGregor Boulevard, Suite 100 – Fort Myers, FL 33901

Phone: (239) 461-30470              Email: SteveC@Barraco.net and LaurenC@Barraco.net

**Property Owner:** WSR Naples Square Commercial, LLC

Address: 3185 Horseshoe Drive South – Naples, FL 34104

Phone: (239) 649-6310                      Email: odonnellj@ronto.com

**Address of Subject Property:** 192 Goodlette-Frank Road South – Naples FL 34102

Full Legal Description: Tract C-2, Naples Square Commercial North (PB 63, PG 16 - 17)

Size of Parcel: 1.82 acres

Existing Zoning: Planned Development

Current Use of Land: Vacant

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

Petition Request and Summary of Facts: Naples Square Encore is a 3-story mixed-use development that is situated north of 3<sup>rd</sup> Avenue South and east of Naples Square Residential Building 3. This request seeks approval for the construction of ±1,911 s.f. of commercial retail space, ±4,910 s.f. of office space and a multi-family residential building comprised of 15 units on the top two floors of the buildings and a parking garage on the ground level.

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

9.23.22  
Date

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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

9.23.22  
Date

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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.

Stephen Coleman  
Printed Name of Petitioner's Agent

  
Signature of Petitioner's Agent

09/23/2022  
Date

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### 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:

#### **Vision Work Plan**

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The nature of the proposed development supports and strengthens the economic health and vitality of the City. By bringing residential and commercial uses in close proximity, services of value are provided to residents, and pedestrian activity is promoted by expanding existing sidewalk interconnections between residential, commercial and recreational uses within the Naples Square Development. Additionally, providing commercial parking intermingled with private residential parking in the ground-level parking garage optimizes parking efficiency and efficacy.

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#### **Future Land Use Element**

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Objective 1: The proposed project complies with the permitted density and is compatible with the character of the overall Naples Square Mixed-Use development. Landscape buffers conform with zoning requirements and complement the surrounding developments. Adequate public facilities, such as water and sewer infrastructure, stormwater facilities, roadways and sidewalks, are provided to accommodate the new development and maintain the required level of service. Minimum parking requirements based on the proposed uses are met. Vehicular and pedestrian connections are made within the project, as well as between the project and the remainder of the Naples Square Development. Extensions of existing sidewalk link the development to Fifth Avenue South, the Gordon River, Barker Park, and the Cultural Arts Campus, further encouraging pedestrian activity and mobility.

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Objective 2: Adequate public facilities serving the project are available without straining capacity or reducing levels of service. Water and sewer demand and the stormwater management system are designed based on standards outlined in the Comprehensive Plan and other state agencies, as applicable. Traffic analyses demonstrate the level of service is not reduced as a result of the new development.

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Objective 5: Proposed uses are consistent with the permitted activities outlined in Objective 1 and subdivision, signage and stormwater standards. Multiple commercial spaces under residential units are proposed, as encouraged and emphasized in downtown mixed-use districts (Policy 5-4).

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### **Transportation Element**

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Objective 1: Surrounding roadways have been evaluated for level of service and warranted improvements resulting from the proposed development. Level of Service (LOC) C is maintained with the additional traffic generated by the proposed project. Appropriate fair share contributions have been committed by the Developer to future roundabout/traffic calming improvements in past approvals and commitments will continue to be upheld with this request. Landscape buffers are provided within the linear park fronting Goodlette-Frank Road, consistent with Policy 1-2 and as required by zoning.

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Objective 3: Existing sidewalks are extended and/or improved as part of this request and included in the cost of construction. Landscape buffers and trees contributing to required beautification improvements are included in the streets, parking areas and linear park fronting Goodlette-Frank Road.

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Objective 5: Direct access to Goodlette-Frank Road is not proposed; access is provided through roadways and accessways internal to the Naples Square Mixed-Use Development. Transportation and traffic analyses are included as part of this request.

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Objective 9: As a mixed-use development, the proposed project clusters residential and commercial uses in close proximity to encourage pedestrian and bicycle movements, reducing vehicular trips and trip duration, thereby reducing the carbon footprint (Policy 9-3). Improvements to existing traffic calming devices, such as roundabouts, to allow traffic flow while maintaining pedestrian safety, are supported via fair share contributions.

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### **Public Facilities and Water Resources Element**

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Objective 1: Proposed stormwater facilities comply with minimum stormwater quantity and quality storage and conveyance standards dictated by the South Florida Water Management District and/or City of Naples. The proposed stormwater management system and water quality standards are consistent with approved Environmental Resource Permit (ERP) No. 11-103253-P (App. No. 221027-36409).

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### **Capital Improvement Element**

Objective 2: As noted above, appropriate fair share contributions have been committed by the Developer to future roundabout/traffic calming improvements in past approvals and commitments will continue to be upheld with this request.

### **Concurrency Management System Element**

As noted above, adequate public facilities serving the project are available without straining capacity or reducing levels of service. Water and sewer demand and the stormwater management system are designed based on standards outlined in the Comprehensive Plan and other state agencies, as applicable. Traffic analyses demonstrate the level of service is not reduced as a result of the new development.

### **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 on level of service standards and consistency with the Comprehensive Plan, Code and applicable regulations were evaluated during the review of the Planned Development (PD). The proposed project is in conformance with the PD approval, has no impact on level of service standards, and maintains consistency with the Comprehensive Plan, Code and applicable regulations. Please see the attached Traffic Impact Statement.
  - 2) Encourage logic, imagination, innovation and variety in the design process.  
Logic, imagination, innovation and variety in the design process are encouraged in the aesthetic of the proposed buildings, providing amenities to the residents, offering additional commercial and retail shops and restaurants, and promoting redevelopment in the designated Community Redevelopment Area.

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

The nature of a mixed-use development promotes bicycle and pedestrian activities, offering residential, commercial and recreational uses within close proximity.

The proposed project offers each of the components by extending the sidewalk system between uses within Naples Square. The linear park along Goodlette-Frank Road further encourages pedestrian and bicycle movements.

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

- a. Vehicular entry and exit drives.

Two drives on 12<sup>th</sup> Street South allow ingress and egress to the subject parcel. Both have been designed for consistency with City code. Please see the attached civil plans.

- b. On-site vehicular circulation.

Parking areas and drive aisles have been designed for consistency with City code. Please see the attached civil plans.

- c. Accessways for emergency and service vehicles.

The site has been designed to comply with City code and provide adequate access to emergency and service vehicles. Please see the civil plans and vehicle tracking exhibit.

- 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.

As demonstrated in the attached TIS, impacts to the surrounding streets as a result of traffic generated by the proposed project is negligible and maintains the minimum Level of Service C.

- e. The adequacy of public utilities.

The project has been designed for consistency with City code and evaluated for adequate public facilities.

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

The project has been designed for consistency with City code and provides adequate buffers between the project site and adjacent properties. Please see the attached landscape plans.

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

No off-site improvements are required to support the proposed project.

### 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.

Adequate landscape buffers are proposed, as shown on the enclosed landscape plans. Pertinent sections of Code are referenced on Sheet L-2.

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- (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.

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- (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.

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