



June 13, 2017

Mr. D. Wayne Arnold  
Q. Grady Minor & Associates  
3800 Via Del Rey  
Bonita Springs, FL 34134

Mr. Richard D. Yovanovich  
Coleman, Yovanovich and Koester, P.A.  
4001 Tamiami Trail North, Suite 300  
Naples, FL 34103

RE: Review Letter # 2 for Cleary RPUD, PUDR-PL20160001985

Dear Mr. Arnold and Mr. Yovanovich,

The second review letter of the Cleary RPUD is complete. Please respond to the comments below. If you have questions or comments, please contact the appropriate staff member who conducted the review. The project will retain a "HOLD" status until all comments are satisfied.

The following comments are provided to you regarding the above referenced project. If you have questions, please contact the appropriate staff member who conducted the review. The project will retain a "HOLD" status until all comments are satisfied.

**The following comments need to be addressed as noted:**

**Rejected Review: Environmental Review**

**Reviewed By: Summer Araque**

**Email: summerbrownaraque@colliergov.net Phone #: (239) 252-6290**

**Correction Comment 1:**

Provide the following in the Environmental Data report (LDC 3.08.00):

b. WHO PREPARED THE ENVIRONMENTAL DATA REPORT? Preparation of Environmental Data. Environmental Data Submittal Requirements shall be prepared by an individual with academic credentials and experience in the area of environmental sciences or natural resource management. Academic credentials and experience shall be a bachelor's or higher degree in one of the biological sciences with at least two years of ecological or biological professional experience in the State of Florida. Please include revision dates on resubmittals.

f. Provide a survey for listed plants identified in 3.04.03

Correction Comment 2:

Areas excluded from the native vegetation retention calculations will have to be field verified by County staff. Have the environmental consultant contact County staff (Stephen Lenberger, 239-252-2915) to arrange for a site visit of the subject property. The native vegetation retention (preserve) requirement referenced on the PUD master plan and in the PUD document, environmental data and evaluation criteria in the application may all have to be revised pending outcome of the site visit with staff.

Correction Comment 3:

Add the following environmental commitment to section 1 of Exhibit F of the PUD document.

“The portion of the 30 foot ROW easement within the preserve will need to be vacated prior to final plat or SDP approval, whichever is applicable.”

Correction Comment 4:

PUD Document shall identify any listed species found on site and/or describe any unique vegetative features that will be preserved on the site. (LDC 10.02.13 A.2.) Specifically, a bear management plan will be required. Replace section 1.b of Exhibit F of the PUD document with the following:

“A management plan for Florida black bear shall be submitted for review and approval at time of final plat or SDP for the project, whichever is applicable.”

Delete the last sentence in Environmental commitment 1.a.

Amend the second allowable use within the uses in the preserve section of the PUD document to read as follows.

“Mitigation for environmental permitting.”

Correction Comment 5:

Amend Note number 3 on the PUD master plan to read as follows.

“Preserves may be used to satisfy the landscape buffer requirements after exotic vegetation removal in accordance with LDC sections 4.06.02 and 4.06.05.E.1. Supplemental plantings with native plant materials shall be in accordance with LDC section 3.05.07.”

Consult with the Principal Planner to verify which note shall be provided for this petition.

An additional landscape buffer outside of the preserve may be required due the amount of exotics within the preserve.

**Rejected Review: Transportation Planning Review**

**Reviewed By: Michael Sawyer**

**Email: [michaelsawyer@colliergov.net](mailto:michaelsawyer@colliergov.net) Phone #: (239) 252-2926**

Correction Comment 1:

Additional Items that need to be addressed for Transportation Review:

Rev.2: TIS updated to 2016 AUIR however appears Tables 2B and 2C contain incorrect traffic counts for Immokalee Road segment 43.1 (I-75 to Logan), please correct to be consistent with 2016 counts.

Rev.1: As discussed please update TIS to include 2016 AUIR calc's, specifically page 5 (general AUIR references, 5.1 (Table 2B) and page 5.2 (Table 2C). The BCC approved the AUIR last month and because this petition will be at hearing in 2017 the TIS needs to be current. The change will only reflect notes/references and current calc's...not the conclusions of the TIS.

Correction Comment 2:

Developer commitments made as a condition of zoning are not adequately addressed

Rev.2: Adjacent access easment information provided with second submittal. A developer agreement is still required to limit trips for the proposed PUD consistent with TIS provided (85 PM peak our two-way trips).

Rev.1: Please provide a developer commitment regarding the shared access for the development (and adjacent development) on Immokalee. Please provide timing of a required easement to accommodate the access on the adjacent parcel, the timing needs to be tied to SDP/Plat approval or possibly building CO.

**Rejected Review: Zoning Review**

**Reviewed By: Nancy Gundlach**

**Email: [nancygundlach@colliergov.net](mailto:nancygundlach@colliergov.net) Phone #: (239) 252-2484**

Correction Comment 5:

Miscellaneous Corrections

Note 1 on the Development Standards should be 23' from the sidewalk.

Correction Comment 6:

## Miscellaneous Corrections

The Legal Description for Exhibit D Parcel 2 is different from the Legal Description on the Survey. Please reconcile.

### Correction Comment 7:

#### Miscellaneous Corrections

Due to the number of exotics within the preserve, additional buffering is needed. Please show how the required Type B Landscape requirements will be met along the southern property line.

### Correction Comment 8:

#### Miscellaneous Corrections

Please specify one individual (not two) as the Managing Entity in the PUD Monitoring Commitment # 3.

### Correction Comment 9:

#### Miscellaneous Corrections

Please see attached red-lines to the PUD document.

## **Rejected Review: County Attorney Review**

**Reviewed By: Scott Stone**

**Email: [ScottStone@colliergov.net](mailto:ScottStone@colliergov.net) Phone #: (239) 252-5740**

### Correction Comment 9:

Provide a copy of the ROW Easement (OR 1097, PG 2181). Staff will need to confirm whether this ROW is permitted within the preserve area, per LDC.

UPDATE 6/7/17--The legal description for the ROW easement that you added to the Master Plan in this submittal (OR 111, PG 129) appears to indicate that the easement is located on the EASTERLY 30 feet of the property, not the WESTERLY 30 feet.

### Correction Comment 10:

See markups on PUD Document provided by separate e-mail by the assigned planner.

### Correction Comment 11:

In your response to evaluation criteria submitted with the second submittal, you indicate that you are entitled to 37 DUs because you calculated the allowance based on the parent parcel (9.25 acres) before the taking relating to the Immokalee Road expansion. Was the 0.25 acres taken in fee simple or as an easement? If fee simple, then you should not include that 0.25 acres in your dwelling unit calculation (i.e.--it would be 36, not 37, dwelling units)

Note--it appears that you changed the number at 36 in the PUD document, so perhaps you left the number 37 in your evaluation criteria responses by mistake?

Correction Comment 12:

Please confirm that this will not require a GMP Amendment.

Correction Comment 13:

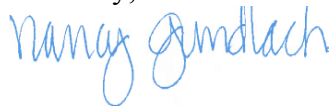
It does not appear that you included responses to the criteria for Rezones under LDC Section 10.02.08 F. Please provide a response to each of the enumerated criteria under that section.

**The following comments are informational and/or may include stipulations:**

- **When addressing review comments, please provide a cover letter outlining your response to each comment. Include a response to completed reviews with stipulations.**
- **Please be advised that Sections 10.02.03.H.1, and 10.02.04.B.3.c require that a re-submittal must be made within 270 days of this letter.**

If you have any questions, please contact me at (239) 252-2484.

Sincerely,



Nancy Gundlach, AICP, PLA  
Principal Planner  
Growth Management Department

C: Raymond Cleary, Jr.  
Summer Araque  
Scott Stone  
Michael Sawyer

- Attachments:
- County Attorney Office Comments (see Request for Legal Services document and Planned Unit Development Route Sheet)
  - Zoning Red-lines
  - GMP Consistency Review