



Civil Engineers • Land Surveyors • Planners • Landscape Architects

June 11, 2018

Mr. Timothy Finn, AICP
Principal Planner
Collier County Growth Management Division/ Planning and Regulation
Land Development Services Department
Comprehensive Planning Section
2800 North Horseshoe Drive
Naples, FL 34104

RE: PUDA-PL20180000049; I-75/Alligator Alley
Review 1 Response

Dear Mr. Finn:

This correspondence is our formal response to the sufficiency review letter provided to us on April 19, 2018. Responses to staff comments have been provided in **bold**.

Rejected Review: Environmental Review; Reviewed By: Summer Araque

1. Section 2.4 – Does not make sense as it states that 29.4 acres of the 40.8 acres is proposed for Commercial uses. How many acres will be purchased for the apartment complex?

Response:

Section 2.4 has been modified to indicate that 29.4 acres are for commercial and/or residential development. See Section 2.4 for additional clarification.

2. Master Plans – revegetated is spelled incorrectly on the hatching legend for both exhibits.

Response:

Exhibit B has been revised as requested. The applicant is not proposing revisions to Exhibit A.

3. Environmental Development Commitments:

- a. It is the agent's option to remove Commitments C-E
- b. Refer to Deviation number in Commitment G

Response:

Only Commitment B regarding fencing the perimeter of the preserve is proposed to be eliminated. Commitment G has been revised to reference the deviation numbers.

4. Deviation Justifications number 4 and 5 need to be more specific. Let's discuss at post-Review 1 meeting. For Deviation #5 you may refer to the redevelopment.

Response:

The following additional justification is provided in support of Deviation #4. PUD Ordinance 07-26 requires 6.12± acres of native vegetation preservation. The current zoning amendment application provides 9.41± acres of native vegetation preservation. This is an increase of 3.29± acres.

Approximately 2.51 acres of the additional preserve area will require supplemental planting with native vegetation. Per LDC Section 3.05.07.H.1.e.ii(b), for properties between 20 and 80 acres in size, up to 2 acres of preserve may be created or planted with native vegetation.

Therefore, for the current zoning amendment, an additional 0.51± acre of preserve will need to be created/planted, beyond what is currently allowed by PUD Ordinance 07-26 and LDC Section 3.05.07.H.1.e.ii(b).

The following additional justification is provided in support of Deviation #5. Per discussions between Rich Yovanovich and Matt Mclean, Collier County staff will authorize the inclusion of existing utility easements and berms within the native vegetation preservation area. If in the future the County impacts the easement areas, those areas will be revegetated in accordance with LDC Section 3.05.07.

- 5. a. Preserves are labeled; however, it is difficult to decipher where the preserve boundary ends for Exhibit B.
- b. Breakout the Preserve in the Land Use Summary for both Exhibits and Section 4.3.

Response:

The Master Plan, Exhibit B, has been revised to make it more clear that the preserve area will extend to the property line, and to include landscape buffers and utility easements.

6. Provide calculations on site plan showing the appropriate acreage of native vegetation to be retained, the maximum amount and ratios permitted to be created on-site or mitigated off-site. Exclude vegetation located within existing utility and access easements from the preserve calculations (LDC3.05.07 B. - D.).

Response:

the Master Plan, Exhibit B, has been revised to show the preserve calculation for the preserve.

7. It is not necessary to list specific uses in the preserve as you will need to follow the LDC. If

you would like to include language related to uses in the preserve, please incorporate the following language into Section 3.2:

Passive uses are allowed within preserves to provide for access to the preserve, as long as any clearing required to facilitate these uses does not impact the minimum required native vegetation or cause loss of function to the preserve. Passive uses are subject to LDC section Allowable uses within County required preserves.

Response:

The language proposed is duplicative of the LDC language related to preserves, except as authorized by deviations 4 and 5 with regard to allowable uses in the preserve. The use of the preserve will be consistent with the LDC.

8. Section 3.2 needs to be revised as follows

- a. Revise 11.4 acres
- b. Remove the word Water Management in the first sentence
- c. Remove the second sentence and revise the third to remove "However"

Response:

The approved PUD and Master Plan currently reference water management and preserves. Please see proposed revisions to Section 3.2 which makes it clear there are two development options with differing preserve requirements.

9. Is any of the preserve acting as the Landscape buffer? If yes, provide the following note:

Where preserves occur adjacent to development off site and will be used in lieu of landscape buffers, include the following condition in the environmental commitments section of the PUD document or master plan:

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.

Response:

A portion of the native vegetation preserve will be utilized as a landscape buffer. The requested language will be added.

10. Provide the following Environmental Data (LDC 3.08.00):

- a. Provide aerial exhibits showing Preserves as part of the environmental data report. Include acreage and provide for both preserve proposals.
- b. On page 4, please use present tense for new calculation which excludes the ROW & easements.
- c. Provide a map showing connection to adjacent preserves.
- d. Provide proposed replanting plan for created preserve.

Response:

A revised Environmental Data Report which incorporates the requested information is attached.

Rejected Review: Public Utilities - PUED Review; Reviewed By: Eric Fey

1. 4/19/2018: Accurately show and label all existing and proposed CUEs on the master plan, particularly the 20' CUEs for the future raw water transmission mains emanating from the well sites.

Response:

The proposed 20' wide public utility easement proposed along the western property line is labeled. Other easements may exist in recorded plats and are not required to be shown on the Master Plan.

2. 4/19/2018: The preserve may not encroach into the raw water well site or transmission main easements, and CUEs shall not be utilized for restoration of native vegetation or for required buffer plantings. Revise the master plan accordingly.

Response:

Based on or meetings with staff on April 27, 2018 and May 1, 2018, it was determined that the proposed CUE's could be included in the re-created preserve area.

3. 4/19/2018: Please provide a typical cross section of the berm along the northeastern PUD boundary, showing adequate vehicular access along the 20' CUE for the future raw water transmission main. The cross section should show required buffer plantings in relation to the main; a 7.5' min. setback is required.

Response:

The ingress/egress easement and CUE along the northern property line will be vacated or replatted.

4. 4/19/2018: Please add a commitment to provide a 20' CUE along the western, northern, and eastern PUD boundaries, north of Bedzel Circle, and connecting to the raw water well site easements, to serve as a corridor for future raw water mains and/or potential relocation of water and wastewater transmission mains now in the Collier Blvd right-of-way.

Response:

The PUD document has been revised to add a commitment.

5. 4/19/2018: Delete paragraph 5.3 A as this is an unnecessary statement.

Response:

The PUD document has been revised to reword paragraph 5.3 A.

6. 4/19/2018: Revise paragraph 5.3 B as follows: 1) change four instances of the word "field" to "site"; 2) adjust the location descriptions for the raw water well site easements as needed; and 3) in the last sentence, change the words "wastewater transmission" to "domestic wastewater collection/transmission" to be consistent with the FDEP's rule language.

Response:

The PUD document has been revised to reword paragraph 5.3 B.

Rejected Review: Transportation Planning Review; Reviewed By: Michael Sawyer

1. Additional Items that need to be addressed for Transportation Review:

Rev.1: Reference PUD Doc., Section IV, 4.2, Revise the development intensity to be consistent with your TIS report or revise your TIS to reflect 265,000 sf commercial, plus 107 room hotel, plus 425 residential units.

Response:

This was addressed at the County's application review meeting. If the proposed multi-family is developed on the PUD's parent tract (19.1 +/- acres), it will effectively displace the potential to develop a significant portion of the 265,000 s.f. of commercial land uses. It is conservatively estimated that no less than 82,000 s.f. of potential commercial will be displaced. The balance of the developable PUD, which is 10.3 +/- acres, cannot accommodate the 107 hotel (already built) and 183,000 s.f. of commercial uses. It should be noted that 2 outparcels have already been developed with fast food restaurants. Furthermore, the trip cap of 948 new PM peak hour trips will ensure that the max build-out will not exceed the previously approved intensity.

2. Additional Items that need to be addressed for Transportation Review:

Rev.1: Reference PUD Doc., K. Please revise trip limit to most current CAO language.

Response:

Revised as requested.

3. Additional Items that need to be addressed for Transportation Review:

Rev.1: Reference Evaluation Criteria Narrative page one, third paragraph. It is stated that no commercial uses or square footage is eliminated by this proposed change but the proposed residential use would obviously displace acreage for commercial uses...please explain how

specifically? Also note review 1 and 2 comments above

Response:

This was addressed at the County's application review meeting. If the proposed multi-family is developed on the PUD's parent tract (19.1 +/- acres), it will effectively displace the potential to develop a significant portion of the 265,000 s.f. of commercial land uses. It is conservatively estimated that no less than 82,000 s.f. of potential commercial will be displaced. The balance of the developable PUD, which is 10.3 +/- acres, cannot accommodate the 107 hotel (already built) and 183,000 s.f. of commercial uses. It should be noted that 2 outparcels have already been developed with fast food restaurants.

4. Additional Items that need to be addressed for Transportation Review:

Rev.1: TIS comments:

1. The TIS states that the proposed Amendment does not result in additional "net new" trips. This is true for the PM peak hour traffic, as shown on Table C (pg. 4) of the TIS. This is not true for the daily trips or for the AM peak hour trips: Please include AM peak hour trip calc's for clarity of proposed impacts. Such as the following...

Land Use	AM Pk. Hr.	PM PK. Hr.	ADT
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Current PUD/uses	XXX	XXX	XXXXX	Proposed PUD/Uses	XXX	XXX	XXXXX
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The planning commission has shown interest in AM peak trips at recent hearings. This information will not change staff's review based on the GMP however it is requested to provide a clearer idea of impacts.

Response:

The AM peak hour trips comparison has been included in the revised TIS as requested.

5. Additional Items that need to be addressed for Transportation Review:

Rev.1: Please provide confirmation of coordination of proposed master plan with FDOT staff as discussed at pre app meeting regarding the interchange improvements now under design and budgeted.

Response:

FDOT has provided a copy of the various concept plans. None of the Interchange plans impact the project site and the proposed site use does not impact any of the interchange plans.

Rejected Review: Zoning Review; Reviewed By: Timothy Finn

1. In the Application under Associations section: This section was left blank which addresses the name and mailing address of all registered Home Owners Associations that could be affected by the application. Please confirm if there is indeed no Home Owners Associations that would be

affected by the application.

Response:

This section of the application has been revised to state “not applicable” as there are no HOA’s in the vicinity that would be affected by this development.

2. In the Application under the Applicant Contact Information: Revise this section to cross out agent and then provide a separate sheet providing agents information i.e (Wayne Arnold and Rich Yovanovich) and more importantly Josh Purvis needs to provide authorization from the owners to appoint himself as the applicant.

Response:

The application has been revised as requested and an additional exhibit has been provided with this submittal named “Applicant/Agent Information”.

The Covenants of Unified Control provided with submittal 1 authorize Thompson Thrift Development, Inc. as applicant. Josh Purvis is a managing member of Thompson Thrift Development, Inc. Please see “Adoption of Corporation Resolution by Consent”, which authorizes Josh Purvis to represent Thompson Thrift Development, Inc.

3. In the proposed PUD Amendment, page 8 of 20 under Section 4.3: The following footnote “***Residential uses may only be developed within the area platted as Lot 1 on the Alligator Alley Commerce Center Phase Two Plat” needs to be reflected on the revised “Conceptual Commercial/Residential Master Plan Exhibit B” dated 3-16-2018

Response:

The notation has been added to the PUD Master Plan, Exhibit B.

4. In the proposed PUD Amendment, page 8 of 20 under Section 4.2: The 265,000 square feet needs to be revised to what is stated in the TIS which is 183,000 square feet in Table B. Per the TIS on page 3 the development of 425 multi family dwelling units will require 82,000 s.f. of commercial/retail land uses be displaced by the residential use.

Response:

The applicant cannot reduce the overall square footage in the PUD. The TIS indicates that 82,000 square feet of commercial will be displaced if residential is constructed.

5. In the proposed PUD Amendment, page 12 of 20 under Section C.2: Change the “R” reference to “C/R” as reflected in the “Conceptual Commercial/Residential Master Plan Exhibit B” dated 3-16-2018.

Response:

The reference has been changed in the PUD document as requested.

6. In the proposed PUD Amendment, Table 3 - Residential Development Standards: Identify the Amenity Area on the "Conceptual Commercial/Residential Master Plan Exhibit B" dated 3-16-2018.

Response:

The PUD is surrounded by Major right-of-way or commercial development and any amenity area would be separated from the nearest residential located in the East Gateway PUD by a minimum of 100' which will include preserves and a 20' wide landscape buffer. There is no need to specify the amenity location given the location of the proposed residential tract.

7. In the proposed PUD Amendment, Table 3 - Residential Development Standards: Consider increasing the separation distance in the amenity area from anything outside the amenity area.

Response:

There may be multiple amenity features within the residential area, some of which may include kiosks or small features that make sense to be located near the property line.

8. In the proposed PUD Amendment, page 15 of 20 under Section 5.1: Add a commitment similar to Commitment A with "developed solely with residential uses"

Response:

The phrase is not necessary as there are already commercial uses and the site will not be developed solely with residential.

9. With regard to both the Conceptual C.P.U.D. Masterplan Exhibit A dated 01/05 and the "Conceptual Commercial/Residential Master Plan Exhibit B" dated 3-16-2018; Is the Exhibit A version going to be superseded by the Exhibit B version? Please clarify. Only one Masterplan will be accepted. Moreover, the depiction of the 6.12 acreage needs to be illustrated in Exhibit B.

Response:

No, two Master Plans will be adopted. This was confirmed to be appropriate at our April 27, 2018 meeting with staff.

10. In the proposed PUD Amendment, page 18 of 20 under Section 5.6.B: Please delete this section as all commitments need to be included in the PUD document itself.

Response:

Section 5.6.B has been modified to remove language to additional commitments.

11. On the "Conceptual Commercial/Residential Master Plan Exhibit B" dated 3-16-2018, please include the location of all proposed major internal thoroughfares and pedestrian accessways, including interconnecting roadways within the PUD as well as with abutting uses.

Response:

The Master Plan identifies all roadways open to the public and the proposed interconnect to the west.

Rejected Review: County Attorney Review; Reviewed By: Scott Stone

1. Your application front page indicates that Josh Purvis is the "Applicant/Agent." However, your Affidavit of Authorization lists Q Grady Minor and Coleman, Yovanovich and Koester as "Agent." Please revise the application cover page to list those two as Agents (you can add another section to the page if necessary).

Response:

The application has been revised as requested.

2. Please provide written evidence from each owner indicating their consent for Thompson Thrift Development, Inc. to submit this application.

Response:

The Covenant of Unified control from each property owner were provided with Submittal 1, copies are included with this submittal.

3. Please provide evidence that Thompson Thrift Development, Inc. is a legal and active entity in Florida, and that John Purvis is authorized to sign the Affidavit of Authorization on their behalf.

Response:

Please see "Adoption of Corporation Resolution by Consent" included with this submittal".

4. WR-1 Associates, Ltd. is not showing up on sunbiz.org. Please provide evidence that they are a legal and active entity in Florida, and evidence of authority for anyone signing an affidavit or covenant of unified control on their behalf.

Response:

Please see "Sunbiz Annual Reports" included with this submittal.

5. Your preserve calculation for the mixed use plan appears to be based on only 37.6 acres, instead of the entire 40.8 acre site. Please explain how you came to that number, and provide

an exhibit/plan that clearly shows the areas within the PUD that you are excluding from the acreage calculation.

Response:

It was agreed in our meeting with staff that a portion of Bedzel Circle and Joy Rose Place could be subtracted as they were required access ways and interconnections.

6. When was the affordable housing commitment (5.6) removed from the PUD?

Response:

The affordable housing commitment is being removed with this amendment.

7. Please provide a legible version of the existing Master Plan (Exhibit A) that was adopted within Ordinance 07-26.

Response:

A legible version of Exhibit A adopted within Ordinance 07-26 is included with this submittal.

8. See handwritten markups to PUD document, to be provided in separate e-mail from the planner.

Response:

Revision have been made to the PUD.

Rejected Review: Landscape Review; Reviewed By: Mark Templeton

1. The language included in Deviation Justification #1 "The shape of a man made body of water...." is in section 4.06.05.N.1.a, not 4.06.02.D.5.a. Please revise. There is no 4.06.02.D.5.a.

Response:

This is an existing deviation.

2. The section of code that deviation #2 is referencing (4.06.05.H) includes requirements for landscape installation, root barrier, lighting separation, and guying and bracing requirements, not setback for toes of slope from property lines. Please revise to reference the correct section of code that the deviation is seeking relief from.

Response:

This is an existing deviation.

Mr. Timothy Finn

RE: PUDA-PL20180000049; I-75/Alligator Alley, Review 1 Response

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Please feel free to contact me should you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "D. Wayne Arnold". The signature is stylized with a large, looped "D" and a long, sweeping horizontal line that ends in a small upward flick.

D. Wayne Arnold, AICP

c: Thompson Thrift Development, Inc.
Richard D. Yovanovich
GradyMinor File