



Civil Engineers • Land Surveyors • Planners • Landscape Architects

July 27, 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 2 Response

Dear Mr. Finn:

This correspondence is our formal response to the sufficiency review letter provided to us on July 11, 2018. Responses to staff comments have been provided in **bold**.

Rejected Review: Environmental Review

Reviewed By: Summer Araque

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

Correction Comment 4:

Please explain in Deviation #4 under which circumstances there will be an additional 3.29 acres of preserve (if portions of the PUD are developed as residential).

Response:

Only if the development includes a residential component will the additional 3.29 acres of preserve be required.

Correction Comment 7:

REPEAT COMMENT:

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 applicant wishes to retain the language in the current draft.

Correction Comment 8:

REPEAT COMMENT:

Section 3.2 needs to be revised as follows

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

Response:

The language referred to in Section 3.2 is existing language that we would like to retain.

Correction Comment 9:

The landscape buffer note either needs to go on the site plan or as a Buffer Commitment (not an Environmental Requirement):

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.

Please note that Landscaping Review may request additional language

Response:

The PUD document has been revised to include the above language.

Correction Comment 11:

The following will need to be included as a deviation.

In accordance with LDC 3.05.07.H.1.h.ii.f), when stormwater discharges are allowed in preserves, the associated stormwater facilities such as berms, swales, or outfall structures, may be located within the preserve, but the area of such facilities cannot count towards the native vegetation preservation requirement pursuant to section 3.05.07.

Response:

County staff has drafted the appropriate deviation, which has been incorporated into the PUD.

Email: EricFey@colliergov.net Phone #: (239) 252-1037

Public Utilities is contacting the agent regarding these comments in attempt to resolve some of them. Please, be aware typographical error correct requests must be addressed. (Camden Smith, Zoning Operations)

Correction Comment 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.

7/10/2018: Some existing CUEs are shown on the master plan but are not shown completely or accurately. Either show them correctly or eliminate them. However, the platted RWE's and connecting CUE's to be vacated pursuant to proposed commitment 5.3 A should be shown and annotated appropriately along with the proposed CUE along the western PUD boundary, which should be identified as a County Utility Easement and not a Public Utility Easement.

Response:

After discussion with Public Utilities Staff, revisions have been made to the Utility Commitments Section of the PUD document. The Master Plan has been revised to reflect the mutually agreed changes.

Correction Comment 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.

7/10/2018: Coordinate with Summer Araque on any language needed to address sequencing. If the preserve is recreated prior to construction of utility improvements, then construction activities within the portion of the CUE inside the preserve may need to be restricted to directional drilling only.

Response:

County staff has drafted the appropriate language, which has been incorporated into the PUD.

Correction Comment 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.

7/10/2018: Section V of the PUD document should identify developer commitments only and should not be used to assign obligations to Collier County. As such, the first sentence of proposed commitment 5.3 A should be rewritten as a conditional statement--if Collier County vacates the platted RWE's and CUE's along the northern fringe of the PUD, then the developer shall grant a CUE along the western PUD boundary. Likewise, the County should not be obligated by the PUD document to reserve system capacity to serve the project in exchange for the CUE. Any obligations to be assumed by the County should be addressed through a separate agreement.

Response:

Condition 5.3A has been revised as requested by staff. The obligation to confirm service has been addressed in a separate letter from the County.

Correction Comment 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.

7/10/2018: Proposed commitment 5.3 B is redundant with proposed commitment 5.3 A, and it is too specific. While the stated intent of the CUE is correct, the commitment language should not restrict the County's use to that purpose. Also, see the previous correction comment concerning the capacity reservation language, and note that any reservation would require engineering review and administrative approval.

Response:

The developer agreed to provide a 30-foot wide easement to relocate the water line. As requested new commitments have been added to address this easement.

Correction Comment 7:

7/10/2018: On the master plan, please clarify the numerous dashed lines shown between the west water management pre-treatment area and the west end of Bedzel Circle; provide appropriate labels or eliminate these lines.

Response:

The Master Plan has been revise to eliminate the dashed lines.

Correction Comment 8:

7/10/2018: The CUE at the western PUD boundary should be next to and fully outside the 20' landscape buffer (except where it crosses the northern buffer), it should be increased to 30 feet in width, and it should connect with the CUE recorded at O.R. 1552, pg. 2241. A temporary construction easement over the entire western water management pre-treatment area would

also be beneficial. These requested changes would facilitate adequate space for construction of one or more large pipelines with no impact to the plan of development. Please revise the PUD master plan and Subsection 5.3 of the PUD document accordingly.

Response:

The developer agreed to provide a 20-foot wide easement along the western property line to relocate the water line. No revision has been made to the width and location of the easement. A temporary construction easement will be provided within the water management area if it is acceptable to the SFWMD.

Rejected Review: Transportation Planning Review

Reviewed By: Michael Sawyer

Email: michael.sawyer@colliergov.net Phone #: (239) 252-2926

Ray Bellows, Zoning Manager, working with Transportation to gather additional information per agent's request. Agent does not desire to reduce commercial uses and has stated agent prefers to keep trip cap to entire PUD instead of itemizing the maxes per area. (entered by Camden Smith, Zoning Operations)

Correction Comment 1:

Additional Items that need to be addressed for Transportation Review:

Rev.2: See review 1 below. Not done, the inconsistency remains TIS vs PUD. Revise one or both so it is clear what is proposed. If the trip limit is correct as proposed the PUD needs to reflect the same commercial sf reduction with/if residential is done that is shown in the TIS (net change 82,000 sf). Or revise the TIS to indicate the entire 265,000 sf to remain increasing the new trips proposed. Sorry but the TIS and PUD need to be consistent.

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:

PUD has been revised to add a developer commitment under Section 5.3.K. which addresses the trip cap for the entire PUD as well as the residential area and is consistent with discussions with Transportation staff and County Attorney.

Correction Comment 2:

Additional Items that need to be addressed for Transportation Review:

Rev.2: Please see rev.1 comment, current language not provided. Add the following...."based on the use codes in the ITE Manual on trip generation rates in effect at the time of application

for SDP/SDPA or subdivision plat approval.”

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

Response:

Section 5.3.K of the PUD document has been revised per discussions with staff.

Correction Comment 3:

Additional Items that need to be addressed for Transportation Review:

Rev.2: Please see other review comments regarding TIS and PUD consistency. Issue remains with evaluation criteria which now appear to proposed the full 265,000 sf commercial plus hotel plus 425 residential units.

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:

The trip cap has been added to assure that the project does not increase the traffic impact. For the project to have the same traffic impact, it is obvious that some commercial uses will not occur.

Rejected Review: Zoning Review

Reviewed By: Timothy Finn

Email: TimothyFinn@colliergov.net Phone #: (239) 252-4312

Correction Comment 4:

Comment from 4-19-18:

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.

Comment from 7-10-18:

Still need to resolve 4-19-18 comment

Response:

No adjustment to the commercial square footage will be made. If residential development does occur, the trip cap that has been added will assure that the project does not increase the traffic impact.

Correction Comment 6:

Comment from 4-19-18

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.

Comment from 7-10-18

The applicant must show compliance with 4-19-18 Comment. Moreover, per the Collier County Admin Code, page 54 section 4, the last two bullet items: Community uses and Recreational uses, are required to be graphically shown on the master plan. It shall be further noted that the CCPC historically has insisted that amenity areas be shown on Master Plans.

Response:

Other PUD have provided development standards to assure compatibility in lieu of identifying the location of amenities on the PUD master plan. A 100-foot minimum setback from the project to the west has been added to assure compatibility.

Agent disagrees with Zoning Correction Comment 6. Ray Bellows to address with agent.

Correction Comment 7:

Comment from 4-19-18:

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.

Comment from 7-10-18

The applicant must show compliance with 4-19-18 Comment. Moreover, per the Collier County Admin Code, page 54 section 4, the last two bullet items: Community uses and Recreational uses, are required to be graphically shown on the master plan. It shall be further noted that the CCPC historically has insisted that amenity areas be shown on Master Plans.

Response:

A minimum setback from the western PUD boundary has been added to the Table for the Multi-family and accessory uses. Due to the substantial separation from any other residential, it is not necessary to provide additional detail for the proposed residential amenities.

Agent does not wish to consider this correction listed in Comment 7. Ray Bellows to resolved and/or address.

Rejected Review: County Attorney Review

Reviewed By: Scott Stone

Email: ScottStone@colliergov.net Phone #: (239) 252-5740

County Attorney also included a PUD Document markup – provided in separate attachment.

Correction Comment 11:

Additional comment following 4/27/18 "post review" meeting with staff and applicant: Since applicant does NOT own all of the properties in the PUD, they will have to somehow calculate what portion of the overall PUD trip cap and commercial square footage that they are entitled to. The uses within the area that they control will be subject to this portion of the overall trip count, and the existing developed land (under separate ownership) will still be entitled to their portion of square footage/trip count.

Response:

Section 5.3.K of the PUD document has been revised based on discussions with staff.

Correction Comment 12:

Your development commitment only mentions that development will be limited to 948 NEW trips. However, we would also need to indicate what the total maximum trips are for the entire PUD.

Response:

Section 5.3.K of the PUD document has been revised based on discussions with staff.

Correction Comment 13:

Thompson Thrift Development, Inc. is not listed on sunbiz.org as a legal and active entity in Florida. Moreover, the "Adoption of Corporate Resolution by Consent" submitted in support of John Purvis' authority to submit this application is limited to execution and delivery of purchase agreements. Provide evidence that he is authorized to submit this land use petition on behalf of the company.

Response:

The Applicant / Agent Information document has been revised to show Paul M. Thrift, President of Thompson Thrift Development, Inc. as the applicant. A new Affidavit of Authorization executed by Paul M. Thrift as President of Thompson Thrift Development, Inc. is provided .

Correction Comment 14:

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

Response:

Based on discussions with staff most revisions have been made to the PUD document and Master Plan.

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, sweeping "D" and a long, horizontal stroke extending to the right.

D. Wayne Arnold, AICP

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