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October 8, 2018

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

RE: Review Letter 2: Planned Unit Development Rezone  
PL20170000768  
**Baumgarten PUD (PUDR)**

Dear Mr. Arnold:

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 shall be addressed as noted:**

**Rejected Review: Public Utilities - PUED Review**  
**Reviewed By: Eric Fey**  
**Email: [EricFey@colliergov.net](mailto:EricFey@colliergov.net) Phone #: (239) 252-1037**

**Correction Comment 1:**

9/13/2017: Estimate the total population to be served based on an occupancy of 2.5 people per dwelling unit and an equivalency of one person per 100 gpd of average daily wastewater flow for non-residential. Estimate average daily wastewater flow per Part 2 of the Design Criteria, assuming 250 gpd per dwelling unit and per Table I of F.A.C. 64E-6.008 for non-residential. Estimate average daily water demand as 1.4 (ERC ratio of 350:250) times the average daily wastewater flow. Estimate the peak daily water demand using a peaking factor of 1.35 per our 2014 Master Plan. Estimate peak daily wastewater flow likewise. Revise the Statement of Utility Provisions accordingly.

10/5/2018: The demand/flow estimates are mostly correct for the scenarios evaluated, but this comment remains outstanding, pending Transportation Planning approval of the scenarios presented in the TIS. Note however that the calculation for fast food restaurants could be reduced from 40 GPD to 20 or 35 GPD per seat (single service articles only), depending on the anticipated hours of operation.

**Correction Comment 2:**

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9/13/2017: At numerous places within the evaluation criteria (Exhibit 3), you assert that the existing wastewater transmission system has capacity for the project. This is not accurate. The existing force main along Immokalee Road is presently stressed, but completion of new force main extensions to serve proposed developments in the northeast wastewater service area will create additional transmission capacity. Capacity will be confirmed at the time of development permit review. Please revise Exhibit 3 accordingly, and contact Craig Pajer (CraigPajer@colliergov.net) for more specific information on wastewater system capacity.

10/5/2018: The text revisions did not address the comment.

Correction Comment 3:

9/20/2017: There is not an existing dead-end water main on Cortona Way. CCPU intends to complete the loop connection within the existing ROW/CUE in Tuscany Cove but is not required to do so. A 15' CUE is required for the stub-out to the property line. Please revise the proposed language for commitment 3.a as follows: "As part of the subdivision plat approval for the PUD, the owner shall provide a water main stub-out to the southern property line of the PUD, near the north end of the unnamed roadway spur west of 15485 Cortona Way, in a location determined by the Owner and approved by the County. A County Utility Easement shall be conveyed to the County at no cost to the County for the water main stub-out and shall be shown on the recorded plat or recorded by separate instrument prior to preliminary acceptance of utilities. The stub-out shall be sized to supply fire flow to the PUD under maximum day conditions, as required by Collier County Design Criteria in the Collier County Water-Sewer District Utilities Standards Manual, as adopted by Ord. 2004-31, as amended, and as further amended by Resolution No. 2014-258, or its successor resolution. This stub-out will not be required if the residential tract is master metered."

10/5/2018: Your response is a false statement. The requested language was modified in three places: 1) The words, "the residential portion of," were added to the first sentence. This change is acceptable.

2) The words, "near the north end of the unnamed roadway spur west of 15485 Cortona Way," were changed to, "at the interconnect location shown on the PUD Master Plan." This change would be acceptable if the above-described location were shown on the PUD. Potential egress is shown at this location, but no water main loop connection is identified.

3) The words "conveyed to the County at no cost to," were changed to, "made available for purchase by." This change is unacceptable. The loop connection is required for the proposed development pursuant to the CCWSD Utilities Standards Manual, Section 1 - Design Criteria, subsection 2.2.1.

Correction Comment 4:

9/13/2017: Commitment 3.b indicates conceptual locations of four potential well sites are shown on the PUD master plan, but none are depicted in Exhibit C1.

10/5/2018: The potential well site location shown at the northeast corner of the property is too close to the existing well site easement at Heritage Bay Vistas, Tract F, and the two conceptual locations at the southwest corner of the property are too close together. All three of these locations may be deleted from the master plan. It has been determined that well sites can be located in the canal right-of-way. So, no well sites are requested along the west PUD boundary. However, a location on Immokalee Road, west of Goodland Bay Dr is still requested. Please restore and modify commitment 3.b accordingly. (It was deleted from Exhibit F in submittal 2.)

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Correction Comment 6:

10/5/2018: Please add a commitment to complete a water main loop connection to the 6" water main at Glenforest Dr, within the adjacent Bent Creek Preserve PUD. The point of connection is near the southeast corner of the "C/R" tract and should be shown on the master plan. Please use language similar to that for commitment 3.a. Please do not combine the two commitments so they can be tracked separately given that Tract "R" and Tract "C/R" may be platted and developed at different times.

**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: This comment has not been addressed. PUD and TIS are not consistent with the TIS now proposing three separate scenarios, development totals, and master plan instead of the previous two and all three are not consistent with the PUD. Revise the entire TIS to be consistent with the now new proposed development containing 400 residential dwelling units, 370,000 sf commercial uses and 140 hotel-motel rooms. Revise the PUD as needed as well for consistency.

Rev.1: Revise the application (PUD doc and TIS) to provide a consistent submittal. The TIS contains two separate proposed scenarios both inconsistent with the PUD doc (also appears the school impact analysis is not consistent). Various commercial square footages are provided as well as dwelling unit counts. Without a consistent submittal, a full review is not possible. If two scenarios remain part of the TIS, please make sure both account for the total development requested in the PUD doc or have a consistent scenario requested and clearly outlined in the PUD doc.

Correction Comment 2:

Additional Items that need to be addressed for Transportation Review:

Rev.2: Comment not addressed, see also review 2 comments above regarding consistent PUD and TIS documents. Master Plans now have four completely different versions.

Rev.1: Revise the TIS and PUD master plans to provide a consistent request. The TIS master plan is not readable, please revise. On the TIS master plan the second access is not clearly shown and the PUD master plan does not show both access locations...is not consistent. There are numerous other inconsistent elements on the master plan, please decide which version is proposed and consistently incorporate into the full submittal package.

Correction Comment 4:

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Additional Items that need to be addressed for Transportation Operations Review:

Rev.2: Reference TIS, page 17, 18, 19, 20...Staff will accept a right-in/right-out/left-in configuration. The full median opening and proposed traffic signal do not meet access management standards (see specifics below), will negatively impact traffic operations and increase congestion along Collier Boulevard. Revise the Master Plan and all traffic distribution volumes/analyses accordingly. The Synchro analyses provided for the proposed access do not indicate how the two closely spaced intersections would be coordinated. The geometry used in the Synchro analyses shows combined right-through and exclusive left-turn lanes for the eastbound and westbound approaches. However, the text on Page 19 of the TIS indicates that the east/west geometry would consist of combined left-through and exclusive right-turn lanes.

Access management: The requested full opening is approximately 0.19 miles from the crosswalk at Immokalee and Collier which is below the smallest allowable distance in the access management policy of 0.25 for lower classification of roadway which would normally be 0.5 miles. Given the extra conflict present with the three approach turn lanes as proposed, staff does not agree with the TIS findings.

Rev.1: Reference TIS, page 14, Site Access Turn Lane Analysis. Connections to subject site, Collier Boulevard (CR951). Staff does not support the proposed full opening. Staff will support a right in/out and left in condition. The proposed full opening is not reasonable and will increase (NOT decrease) the existing traffic congestion at this location. Revise this portion of the TIS and applicable calculations/analysis. Also revise PUD Exhibit 3 Evaluation Criteria, page 7 of 13 and all other PUD references to this same access location-issue.

Correction Comment 5:

Additional Items that need to be addressed for Transportation Operations Review:

Rev.2: Comment not addressed due to multiple different master plans in the PUD and TIS. Staff remains opposed to the west access located on Immokalee in the duel right turn lanes for east bound Immokalee from north bound Collier. The existing turn lanes at this location already have a high accident rate, further conflicts on Immokalee remains problematic and a safety concern...please remove this access.

Rev.1: Reference TIS, page 14 and 15, Site Access Analysis, Immokalee Road, "West access". Staff does not agree with this additional proposed access which is not clearly shown on any master plan (shown on TIS master plan but is not clear/readable/easily missed and not shown on the PUD master plan). The existing duel right turn lanes on 951 for east bound Immokalee is currently problematic plus likely right out lane jumping to use U-turn movement at Goodland Bay Drive cause too many potential conflicts-safety concerns.

Correction Comment 6:

Additional Items that need to be addressed for Transportation Review:

Rev.2: Comment remains and see all similar master plan comments above.

Rev.1: TIS master plan, this comment restates many/all of previous master plan comments above however it is critical that changes be made with the next submittal and staff wishes to be clear. Both of the TIS master plans are unreadable/unclear/inconsistent with each other and the information provided within the TIS itself and the PUD Document. Also, please make sure the

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following are addressed: revise proposed access locations as requested above; use larger lettering-notes-identifications so everything can be read at 8.5x11 format; remove none transportation-related elements from the TIS master plan(s) or use the same PUD master plan(s) which is preferred.

Correction Comment 7:

Additional Items that need to be addressed for Transportation Review:

Rev.2: Comment remains. Additionally, staff does not see a clear reason for a DCA for this development and believe developer comments will address requirements. Please provide a previously requested.

Rev.1: Provide a developer commitment to accept ROW stormwater for the future overpass interchange at the intersection of Immokalee and Collier Boulevard as discussed at the pre-application meeting. Please discuss specific language with staff including CAO.

Correction Comment 8:

Additional Items that need to be addressed for Transportation Review:

Rev.2: Comment remains. Additionally, staff does not see a clear reason for a DCA for this development and believe developer comments will address requirements. Please provide a previously requested.

Rev.1: Provide a developer commitment that acknowledges the potential future overpass interchange at the intersection of Immokalee and Collier Boulevard including no harm/future business damages for Collier County. Please discuss specific language with staff including CAO.

Correction Comment 9:

Additional Items that need to be addressed for Transportation Review:

Rev.2: Specific new comment regarding the four master plans. Consistency comments noted above must be addressed however one additional comment relates to interconnection which was previously discussed. Specifically, staff notes the requirement related to the following: FLUE Policy 7.3, GMP Transportation Element Policy 9.3, and LDC 4.04.02.B.3 and 4.07.02.J.4.

Please also note that additional new review comments may still occur when the above comments are addressed, and changes are again made to the PUD and TIS documents to address issues of consistency.

Rev.1: Please note that additional new review comments may be required-provided-occur when the above comments are addressed, and a consistent submittal is provided.

**Rejected Review: Zoning Review**

**Reviewed By: Nancy Gundlach**

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

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Correction Comment 1:  
Miscellaneous Corrections

The TIS states that the site is 55.47 acres, the Master Plan states that the site is 55.66 acres.  
Please reconcile.

Correction Comment 5:  
Miscellaneous Corrections

PUD Exhibit A: Land Uses- Provide limitations on Auto Stores, Eating Places, and Drinking Places. These users are proposed near adjacent external Residential land uses, and there is a history of noise issues related to these uses.

Correction Comment 9:  
Miscellaneous Corrections

PUD Exhibit B: Development Standards- Specify a larger distance for commercial development that is located adjacent to the residential development in Bent Creek.

Review # 2: Provide language that restricts the location of commercial land uses (restaurants with bars, bars, car washes, tire shops, etc.) that are noisy and have lighting that conflicts with residential development.

Correction Comment 14:  
Miscellaneous Corrections

Please see attached Zoning Red-lines.

Correction Comment 15:  
Miscellaneous Corrections

MasterPlan: Please make the outlines of Collier Boulevard and Immokalee Roadways darker.

Correction Comment 16:  
Miscellaneous Corrections

Exhibit A - Permitted Uses List:

1. Change the symbol "&" to the word "and" throughout the list.
2. Correct the SIC Code from (1323) to (7323) for Credit Reporting Services.
3. Remove the word "Services" from the following items: 93. Life Insurance,  
120. Pension....  
153. Surety....  
158. Title Insurance

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4. Add a comma after "Garment Pressing" in item 70.

Correction Comment 17:

Miscellaneous Corrections

Add the following Commitment to the PUD:

Special Conditions:

1. No adult orientated sales are permitted.
2. Outdoor music and televisions shall be limited to the area adjacent to and forward of the front facades of the buildings along Immokalee Road and Collier Boulevard. There will be no amplified sound between the hours of 10 p.m. and 8 a.m.
3. Delivery bays shall not abut residential development.
4. Service bays related to automobile service and repair shall be located so that they do not face any residential district within 1500 feet.
5. Dumpsters shall be oriented as far away from residential units as possible.
6. Parking lot lighting shall use LED flat-panel full cut-off fixtures to avoid light spill onto adjacent properties and to reduce the potential impacts of site lighting.

**Rejected Review: County Attorney Review**

**Reviewed By: Heidi Ashton-Cicko**

**Email: heidiashton@colliergov.net Phone #: (239) 252-8773**

Correction Comment 5:

Miscellaneous Corrections: Please see changes to PUD document from my 10-4-18 review, to be provided by the planner.

**Rejected Review: Utility Billing Review**

**Reviewed By: Alberto Sanchez**

**Email: AlbertoSanchez@colliergov.net Phone #:**

Correction Comment 1:

Miscellaneous Corrections

Review comments, if any, will be provided as soon as they are available.

Correction Comment 2:

Miscellaneous Corrections - Withholding comments until we can see the impact, if any, of the requested deviation on garbage pickup. Please call Al Sanchez to discuss 252-5539

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

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- **Applicants who are converting a paper submittal to E-Permitting must resubmit complete sets of all plans, signed and sealed, even if they were previously approved on an earlier review. As a reminder, all documents that are required to be signed and sealed must be digitally signed and sealed when submitting through our E-Permitting process. On the cover letter, please identify that previous submittals were done through paper and that this submittal is by E-Permitting. Also, identification of the changes in the cover letter (ex. See note #23 Civil Plan Sheet 4) improves the efficiency of the resubmittal review.**
- **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  
Principal Planner  
Growth Management Department

Attachments:

- Comp Plan Consistency Review
- Zoning Red-lines
- County Attorney Red-lines (RLS)

Copy to:       David Genson  
                  Eric Fey  
                  Mike Sawyer  
                  Heidi Cicko  
                  Alberto Sanchez