

2800 NORTH HORSESHOE DRIVE NAPLES, FLORIDA 34104 (239) 252-2400

Pre-Application Meeting Notes	
Petition Type: PDI	
Date and Time: September 1, 2016 at 3pm	
Assigned Planner: Eric Johnson	

Engineering Manager (for PPL's and FP's):

Project Information				
Project Name: Lawmetka Plaza PUD				
PL #: PL20160006965				
Property ID #: 00155884100 Curren	t Zoning: PUD			
Project Address: 13995 Tamiami Trl. N.	City: Naples	State: FL	<b>Zip</b> : 34110	
Applicant: Ensite, Inc.				
Agent Name: Jonathan Romine	Phone: 239	-226-0024		
Agent/Firm Address: 2401 First St. Ste:201	City:Ft Myers		Zip:	
Property Owner: BENDERSON DEV CO INC				

Please provide the following, if applicable:

- i. Total Acreage: 22.97
- ii. Proposed # of Residential Units: \_\_\_\_\_
- iii. Proposed Commercial Square Footage: \_\_\_\_\_
- iv. For Amendments, indicate the original petition number: Ord 90-26 (repealed)
- v. If there is an Ordinance or Resolution associated with this project, please indicate the type and number: <u>99-4</u> (repealed); and 02-51
- vi. If the project is within a Plat, provide the name and AR#/PL#: \_\_\_\_\_\_



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# Pre-Application Meeting Sign-In Sheet PL #: 20160006965

## **Collier County Contact Information:**

Name	<b>Review Discipline</b>	Phone	Email
David Anthony	Environmental Review	252-2497	davidanthony@colliergov.net
Summer Araque	Environmental Review	252-6290	summerbrownaraque@colliergov.net
Steve Baluch, P.E.	Transportation Planning	252-2361	StephenBaluch@colliergov.net
Laurie Beard	Transportation Pathways	252-5782	Lauriebeard@colliergov.net
Rachel Beasley	Planner	252-8202	rachelbeasley@colliergov.net
Marcus Berman	County Surveyor	252-6885	MarcusBerman@colliergov.net
Madelin Bunster	Architectural Review	252-8523	madelinbunster@colliergov.net
Mark Burtchin	ROW Permitting	252-5165	markburtchin@colliergov.net
George Cascio	Utility Billing	252-5543	georgecascio@colliergov.net
🕅 Heidi Ashton Cicko	Managing Asst. County Attorney	252-8773	heidiashton@colliergov.net
℣ Sue Faulkner	Comprehensive Planning	252-5715	suefaulkner@colliergov.net
Eric Fey, P.E.	Site Plans Reviewer	252-2434	ericfey@colliergov.net
Paula Fleishman	Impact Fee Administration	252-2924	paulafleishman@colliergov.net
Nancy Gundlach, AICP, PLA	Zoning Services	252-2484	nancygundlach@colliergov.net
Shar Hingson	East Naples Fire District	687-5650	shingson@ccfco.org
John Houldsworth	Engineering Services	252-5757	johnhouldsworth@colliergov.net
Jodi Hughes	Transportation Pathways	252-5744	jodihughes@colliergov.net
Alicia Humphries	Site Plans Reviewer/ROW	252-2326	aliciahumphries@colliergov.net
Eric Johnson, AICP, CFM	Zoning Services	252-2931	ericjohnson@colliergov.net
Marcia Kendall	Comprehensive Planning	252-2387	marciakendall@colliergov.net
🕅 Stephen Lenberger	Environmental Review	252-2915	stevelenberger@colliergov.net
Paulo Martins	Utilities	252-4285	paulomartins@colliergov.net
Thomas Mastroberto	Fire Safety	252-7348	Thomasmastroberto@colliergov.net
Jack McKenna, P.E.	Engineering Services	252-2911	jackmckenna@colliergov.net
Matt McLean, P.E.	Principal Project Manager	252-8279	matthewmclean@colliergov.net
Gilbert Moncivaiz	Utility Impact Fees	252-4215	gilbertmoncivaiz@colliergov.net
Annis Moxam	Addressing	252-5519	annismoxam@colliergov.net
Stefanie Nawrocki	Planning and Zoning	252-2313	StefanieNawrocki@colliergov.net
Mariam Ocheltree	Graphics	252-2315	mariamocheltree@colliergov.net
Brandy Otero	Transit	252-5859	brandyotero@colliergov.net



## 2800 NORTH HORSESHOE DRIVE NAPLES, FLORIDA 34104 (239) 252-2400

n			
Brandi Pollard	Utility Impact fees	252-6237	brandipollard@colliergov.net
😾 Fred Reischl, AICP	Zoning Services	252-4211	fredreischl@colliergov.net
Stacy Revay	Transportation Pathways	252-5677	stacyrevay@colliergov.net
Brett Rosenblum, P.E.	Utility Plan Review	252-2905	brettrosenblum@colliergov.net
X Michael Sawyer	Zoning Services	252-2926	michaelsawyer@colliergov.net
Corby Schmidt, AICP	Comprehensive Planning	252-2944	corbyschmidt@colliergov.net
Chris Scott, AICP	Planning and Zoning	252-2460	chrisscott@colliergov.net
Daniel Smith, AICP	Landscape Review	252-4312	danielsmith@colliergov.net
Ellen Summers	Planning and Zoning	252-1032	EllenSummers@colliergov.net
Scott Stone	Assistant County Attorney	252-8400	scottstone@colliergov.net
Mark Strain	Hearing Examiner/CCPC	252-4446	markstrain@colliergov.net
Kris VanLengen	Utility Planning	252-5366	krisvanlengen@colliergov.net
Jon Walsh	Building Review	252-2962	jonathanwalsh@colliergov.net
David Weeks, AICP	Future Land Use Consistency	252-2306	davidweeks@colliergov.net
Kirsten Wilkie	Environmental Review	252-5518	kirstenwilkie@colliergov.net
Christine Willoughby	Planning and Zoning	252-5748	ChristineWilloughby@colliergov.net

## Additional Attendee Contact Information:

Name	Representing	Phone	Email
CAMERON CEL	Ensite, INC.	226-0024	CAMERONCOEN-SITE.COM
Liz Gosselin	C.C. Stormwater	252 5867	Lizgosselin@ colliergow.net Jason T e en-site.con
Jason Tomassetti	Ews.te	226-0024	Jasonte en-site.con
JONATHAN ROMINE	ENSITE	226-0024	jonathans@en-site.com



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**Meeting Notes** SINTA # Stormwater Planning; Shaon on Muster Plan ultimate point Applicant will need to apply for Permit Modification. descharge wife the SEWMO



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**2800 NORTH HORSESHOE DRIVE** NAPLES, FLORIDA 34104 (239) 252-2400 FAX: (239) 252-6358

Pre-Application Meeting and Final Submittal Requirement Checklist for: **PUD Insubstantial Change** Chapter 3 G.3 of the Administrative Code

The following Submittal Requirement checklist is to be utilized during the Pre-Application Meeting and at time of application submittal. At final submittal, the checklist is to be completed and submitted with the application packet. Please provide the submittal items in the exact order listed below, with cover sheets attached to each section. Incomplete submittals will not be accepted.

REQUIREMENTS FOR REVIEW	# OF COPIES	REQUIRED	NOT REQUIRED	
Completed Application (download current form from County website)	16	V/		
Pre-Application Meeting notes	1	V		
Project Narrative, including a detailed description of proposed changes and why amendment is necessary	16			
Detail of request	16	V		
Current Master Plan & 1 Reduced Copy	16	V.		
Revised Master Plan & 1 Reduced Copy	16	V,		
Revised Text and any exhibits	16	4		
PUD document with changes crossed through & underlined	016	4		
PUD document as revised with amended Title Page with Ordinance #				
Warranty Deed		V		
Legal Description		V		
Boundary survey, if boundary of original PUD is amended 🛛 💥			4	
If PUD is platted, include plat book pages			4	
List identifying Owner & all parties of corporation	2	V		
Affidavit of Authorization, signed & notarized	2	2		
Completed Addressing Checklist	1	2		
Copy of 8 ½ in. x 11 in. graphic location map of site	1	V		
Electronic copy of all documents and plans *Please advise: The Office of the Hearing Examiner requires all materials to be submitted electronically in PDF format.		P		
*If located in Immokalee or seeking affordable housing, include an additional set of each submittal				

## ADDITIONAL REQUIREMENTS FOR THE PUBLIC HEARING PROCESS:

- Following the completion of the review process by County Review staff, the applicant shall . submit all materials electronically to the designated project manager.

\* Include a statement in cover letter / Natrative That boundary thas Not changed.

requirement.



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#### PLANNERS – INDICATE IF THE PETITION NEEDS TO BE ROUTED TO THE FOLLOWING REVIEWERS:

	School District (Residential Components): Amy Lockheart	Bayshore/Gateway Triangle Redevelopment: Executive Director
V	Utilities Engineering: Kris VanLengen ERIC FCY	Parks and Recreation: Vicky Ahmad
	Emergency Management: Dan Summers	Naples Airport Authority: Ted Soliday
	Conservancy of SWFL: Nichole Ryan	Other:
	City of Naples: Robin Singer, Planning Director	Other:

#### FEE REQUIREMENTS

**PUD Amendment Insubstantial (PDI):** \$1,500.00

Pre-Application Meeting: \$500.00

✓ Estimated Legal Advertising fee for the Office of the Hearing Examiner: \$925.00 #1250 -

The completed application, all required submittal materials, and fees shall be submitted to: Growth Management Department/Planning and Regulation ATTN: Business Center 2800 North Horseshoe Drive Naples, FL 34104

Applicant/Owner Signature

Date

Applicant/Owner Name (please print)



Growth Management Division Planning & Regulation Planning & Zoning Department

Zoning Services August 6, 2014

Craftmade Naples, LLC; dba: The Brass Tap c/o Howard Baum 12800 University Drive, Suite 275 Fort Myers, Florida 33907

**Re: Zoning Verification Letter ZLTR-PL20140001501**; zoning verification for 895 Wiggins Pass Road – Unit 1; AKA: Gateway Shoppes at North Bay, Building 4 – Unit 1, in Section 16, Township 48 South, Range 25 East, of unincorporated Collier County, Florida. Property ID/Folio Number: 00155884100.

Dear Mr. Baum:

This letter is in response to your Zoning Verification Letter Application (ZLTR) dated July 8, 2014, in which you request the following information: i) Verification that a restaurant/craftbeer bar can occupy this space; and ii) Maximum seating capacity (3,200 square feet inside and 2,200 square feet outside). Accompanying your application was a partial site plan and a conceptual floor plan dated July 6, 2014. Whereas the subject property is located within an unincorporated portion of Collier County, and whereas The Zoning Services Section of the Planning & Zoning Department has jurisdiction over zoning and land use issues, the County offers the following information.

The applicable ordinance regulating the zoning and use of the referenced property is the Collier County Land Development Code (LDC), Ordinance 04-41 as amended. The current Official Zoning Atlas, an element of the LDC, reveals the subject property has a zoning designation of Planned Unit Development (PUD); as established by Ordinance 02-51, as amended, known as the "Lawmetka Plaza PUD," passed and duly adopted by the Board of County Commissioners on October 8, 2002, during regular session. The PUD Ordinance serves to amend the LDC with respect to zoning issues and is the governing zoning regulation for the subject property.

As per the PUD's Master plan, the subject property is located within an area designated as Tract A. Permitted uses within "Tract A" are listed in PUD Section 5.4 which allows for all commercial and conditional uses within the C-3 and C-4 zoning classifications, with exception to a list of specific uses; C-3 uses are listed within LDC Section 2.03.03 C.1 and C-4 uses are listed within Section 2.03.03 D.1. The LDC establishes uses using 4-digit numerical references described within the Standard Industrial Classification (SIC) Manual, 1987 edition, as published by the Executive Office of the President of the United States – Office of Management and Budget; additional information is available online at: <a href="http://www.osha.gov/pls/imis/sic\_manual.html">http://www.osha.gov/pls/imis/sic\_manual.html</a>. As described, the subject business is allowable as a permitted use as either a an "eating place" (SIC 5812) or a "drinking place" (SIC 5813); however, if deemed to be the latter, the provisions of LDC Section 5.05.01 A.7.a. states that restaurants deriving at least fifty-one (51) percent of their gross revenue from the sale of food and nonalcoholic beverages are exempt from said locational restrictions; thus the distinction between eating and drinking establishments.



Zoning Verification Letter ZLTR-PL20140001501 Page 2 of 2

With respect to seating limitations; neither the LDC nor the PUD limit the seating of eating or drinking places; however, the PUD does incorporate the parking requirements of the LDC. As per The most current, approved, site development plan (specifically; SDP-2003-AR-3901, as amended), the subject property was developed as a "shopping center." As per LDC Section 4.05.04 G., Table 17, the parking space requirements for shopping centers with less than 400,000 square feet and not having significant cinemas/theaters is 1 space per 250 square feet of gross floor area. The shopping center parking requirements further state that no more than 20 percent of a shopping center's floor area can be composed of restaurants without providing additional parking for the area over 20 percent. This provision is consistent with the parking summary/matrix contained within the aforementioned approved site plan. Prior to the issuance of a zoning certificate and/or building permits, the applicant would need to provide a current parking analysis to establish the 20% restaurant limitation has not been exceeded.

Staff has performed a cursory review of the floor plan provided and finds that, as proposed, architectural and landscape alterations are required to accommodate business. The PUD defers both architectural and landscaping requirements to the LDC. As based upon the most current approved SDP, an amendment is required to said site plan and a pre-application meeting with County staff is required prior to the submittal of same. Applications are available online at <u>www.colliergov.net/index.aspx?page=3384</u>.

Staff cautions the applicant that a zoning verification letter is not the appropriate mechanism for approval of a use at a specific location. LDC Section 10.02.06 B.1.f. states, in part: "...A zoning certificate, attesting to compliance with all aspects of the zoning provisions of the Land Development Code, shall be required prior to obtaining a building or land alteration permit or to occupying any space of land or buildings or for the conduct of a business in all zoning districts." This zoning verification letter does negate the requirement for a Zoning Certificate. Zoning Certificates, Non-Residential are issued by the Business Office – Front Desk Planner.

Please be advised that the information presented in this verification letter is based on the Collier County LDC and/or Growth Management Plan in effect as of this date. It is possible that subsequent amendment(s) to either of these documents could affect the validity of this verification letter. It is also possible that development of the subject property could be affected by other issues not addressed in this letter, such as, but not limited to, concurrency related to the provision of adequate public facilities, environmental impact, and other requirements of the Collier County LDC or related ordinances.

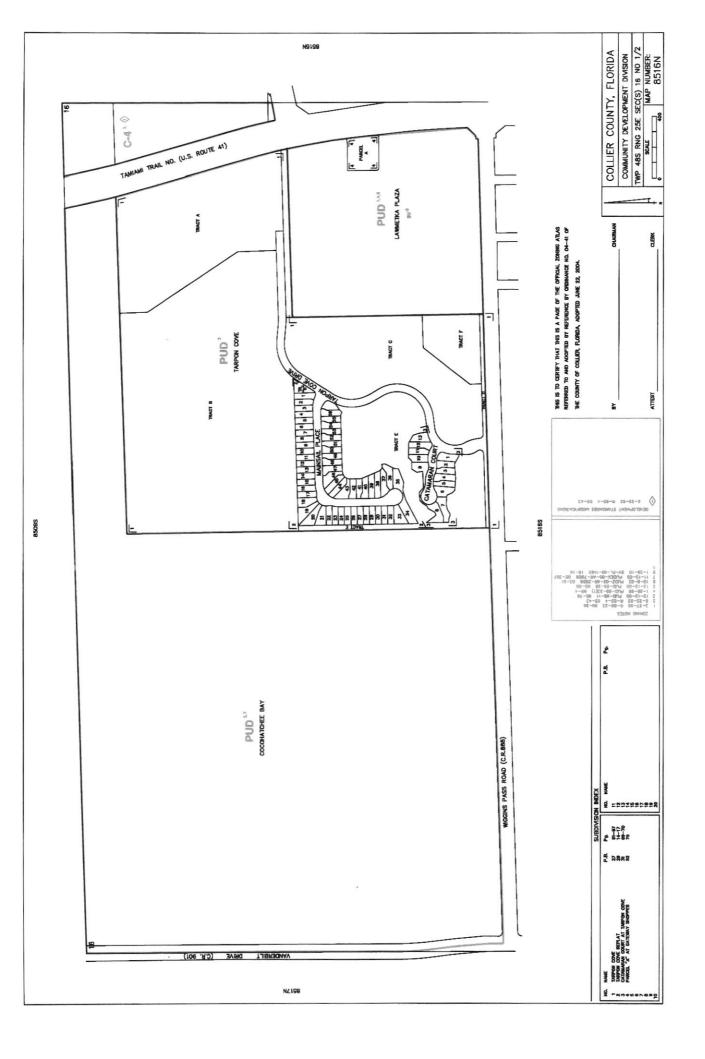
This letter represents a determination of Zoning Department staff. Should you disagree with this determination, you may request an Official Interpretation by the Zoning Director of the provisions of the Land Development Code pursuant to Sections 1.06.01.A and 10.02.02.F.1 of that Code. The fee for an Official Interpretation is identified in the most recent <u>CDES Fee Schedule Resolution</u> as approved by the Board of County Commissioners. To obtain copies of any document referenced herein, please contact Ms. Maria Estrada – Operations Coordinator, at (239)252-2989. The LDC may be viewed online at <u>www.municode.com</u> / Municode Library / Florida / Collier County. Validated Ordinances may be viewed online via the Clerk of Courts website, <u>www.collierclerk.com</u> / Records Search / BMR Records / Boards, Minutes, Records / BMR Validated Ordinances. Should you require additional information, please do not hesitate to call our office at (239)252-2400.

Researched and prepared by:

John A. Kelly, Planner Planning & Zoning Department Zoning Services

Reviewed by:

Raymond Bellows, Planning Manager Planning & Zoning Department Zoning Services





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Growth Management Department – Planning & Regulation Zoning Services Division

August 6, 2015

Mathew Baum 895 Wiggins Pass Naples, FL 34110

Re: Zoning Verification Letter ZLTR-PL20150001717, regarding property located at 895 Wiggins Pass Road, Folio number 00155884100, in Section 16 Township 48 South, Range 25 East, Naples, Collier County, Florida

Dear Mr. Baum:

This letter is in response to your Zoning Letter Application (ZLTR) dated July 28, 2015, in which you request the following: CMB as an accessory, 2COP. The Zoning Services Section of the Zoning Division has jurisdiction over zoning and land use issues; the County offers the following information to your question of property zoning verification.

The applicable ordinance regulating the zoning and use of the property is the Collier County Land Development Code (LDC), Ordinance 04-41 as amended; the LDC implements the goals, policies and objectives of the County's Growth Management Plan. The current Official Zoning Atlas, an element of the LDC, reveals the subject property has a zoning designation of Planned Unit Development (PUD); specifically, the Lawmetka Plaza PUD, adopted by Ordinance 02-51, as amended. The PUD ordinance is the governing zoning document for the subject property. As per the PUD's Master Plan, the subject property is located within an area designated as Tract A. Permitted uses within "Tract A" are listed in PUD Section 5.4 Permitted Principal Uses and Structures, which allows for all commercial and conditional uses within the C-3 and C-4 zoning classifications, with exception to a list of specific uses; C-3 uses are listed within LDC Section 2.03.03 C.1 and C-4 uses are listed within Section 2.03.03 D.1. The LDC establishes uses using 4-digit numerical references described within the Standard Industrial Classification (SIC) Manual, 1987 edition, as published by the Executive Office of the President of the United States-Office of Management and Budget. As described, the subject business is allowable as a permitted use as a "drinking place" (SIC 5813); it should be noted, however, that bottle clubs, which are included in SIC 5813, are not permissible per this PUD. Moreover, the provisions of the LDC Section 5.05.01 (locational restrictions on businesses serving alcohol) become applicable. Please be cognizant that a LDC classification of "drinking place" SIC 5813 places you under the locational restrictions of LDC section 5.05.01- Businesses Serving Alcoholic Beverages; you may apply for a distance waiver if necessary.

Regarding the CMB, on-site beer brewing license, as an accessory use to permitted uses as a "drinking place" SIC 5813, it is deemed by staff that this is a permissible accessory use. Please note that on-site beer brewing is classified SIC 2083 (malt beverages) and is not explicitly stated as a permissible (permitted, accessory, or conditional use) use in C-3 or C-4 of the LDC. Nevertheless, as aforementioned, staff deems CMB as a permissible accessory use.

For a copy of the approved PUD document you may contact the Collier County Records Department at 2800 North Horseshoe Drive, Naples, Florida 34104 or call at 239-659-5730.

Please be advised that the information presented in this verification letter is based on the Collier County Land Development Code and/or Growth Management Plan in effect as of this date. It is possible that subsequent amendment(s) to either of these documents could affect the validity of this verification letter. It is also possible that development of the subject property could be affected by other issues not addressed in this letter, such as, but not limited to, concurrency related to the provision of adequate public facilities, environmental impact, and other requirements of the Collier County Land Development Code or related ordinances.

Should you require further information please do not hesitate to call me at (239) 252-8202.

Researched and prepared by:

Rachel Beasley, Planner Zoning Division

C: Annis Moxam, Addressing Section Lori Beard, Correspondence File

Reviewed by:

Ray Bellows, Manager Zoning Division

