

September 27, 2018

VIA HAND-DELIVERY

Renald Paul, Intake Project Coordinator
Collier County Growth Management
2800 North Horseshoe Drive
Naples, FL 34104

Re: Siena Lakes PUD (PUDA-PL-20180001174)
HM File No. 2015.035

Dear Mr. Paul:

We are in receipt of the County's response letter dated July 23, 2018. Changes were made as requested by Collier County staff as detailed in our responses below. Additionally, the number of assisted living units has been increased by 12 units and the TIS has been updated accordingly. Landscaping standards have been amended slightly to reflect that the internal access easement (Siena Lakes Drive) is no longer the western boundary of the PUD. The minimum square footage for an assisted living unit has been reduced to reflect that there will be smaller ALF models available.

We offer the following responses:

ENVIRONMENTAL REVIEW – CRAIG BROWN

1. Provide the following Environmental Data (LDC 3.08.00): The protected species survey indicates there are trees with cavities with the potential for Florida Bonneted Bat. Please provide more details to support that no bats are present in the trees. What techniques were used to confirm there are not bats present? Were cameras used to look into the cavities? Was acoustic survey used to listen for activity?

Response: The three snag trees identified as containing potential cavities were visually inspected using a pole-mounted HD low-light performance camera. No evidence of Florida bonneted bats was found within the cavities or around the base of the trees. Please see the additional information provided by Craig Smith from Dex Bender Environmental Consulting included with this resubmittal.

2. The property has been cleared. Please provide a brief narrative to explain the clearing activity and history on this project.

Response: Both the Siena Lakes CCRC CPUD and the Orange Blossom Gardens PUD were amended in 2018. Environmental planning staff reviewed these properties as part of those amendments. In the staff report for Siena Lakes, staff found that the property was previously cleared for agricultural purposes prior to 1975 and that no native

vegetation currently exists on the subject property. The original Orange Blossom Gardens PUD (Ord. 92-75) stated: "The subject property has been farmed." The subsequent ordinances (Ord. 2009-67 & Ord. 2018-07) repeated the statement. Environmental staff found that the PUD was consistent with the CCME and LDC. Given the fact that the clearing activity and history on both properties have been previously (and recently) reviewed, no additional information is being provided.

PUBLIC UTILITIES – PUED REVIEW – ERIC FEY

1. 7/18/2018: Please explain the population used to calculate demand/flow.

Response: The calculations assume 1.5 residents per unit.

2. 7/18/2018: Estimate average daily wastewater flow per Part 2 of the Design Criteria, following Table I of F.A.C. 64E-6.008. Please account for the number of residents, meals, and any indoor accessory uses that would be considered atypical of an adult congregate living facility (e.g., cocktail lounge, bank, postal outlet, etc.). 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.

Response: There are no atypical uses. Please see the revised Statement of Utility Provisions.

TRANSPORTATION PLANNING REVIEW – MICHAEL SAWYER

1. Rev. 1: Please add the following standard language to your Developer commitments, II. Transportation Requirements. 10.Trip limit:... "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."

Response: Revised as requested.

ZONING REVIEW – TIMOTHY FINN

1. In the Evaluation Criteria, Section A - There is 893,587 maximum commercial square footage; however, the proposed Siena Lakes PUD illustrates 879,150 square feet under the Permitted Uses section. Resolve this discrepancy.

Response: The square footage has been corrected to reflect the maximum square footage allowed by the 0.6 Floor Area Ratio (917,112 square feet). The square footage

has increased due to inclusion of the additional 5.85 acres (Orange Blossom Gardens PUD).

2. In the proposed Siena Lakes PUD, under Permitted Uses - the maximum square footage is increasing from 764,478 square feet to 879,150 square feet. Where is the additional 114,672 coming from?

Response: The additional square footage is from the new buildings on the western 5.85 acres being added to Siena Lakes (the Orange Blossom Gardens PUD) in order to accommodate 76 independent living units and the sales center.

3. Please revise the boundary survey and ALTA survey markups by Marcus Berman, County Land Surveyor. Markups to be provided by planner. Any questions please contact Marcus Berman at 239-252-6885.

Response: A more recent boundary survey for the Siena Lakes CCRC CPUD is included with this resubmittal.

4. Deviations 6 & 7 per Mark Templeton, Landscape Review: The buffer between Siena Lakes and St. Katherine's and Siena Lakes and Longview would be a Type 'A'. Section 4.06.02.C.1 allows for an alternative in the form of clustering trees with more space between the clusters than 30' for a type 'A'. When abutting a lake, the LDC allows for the buffer trees to be clustered with up to 60' between clusters. Their justification mentions the lakes not being visible from Orange Blossom Dr. But the buffers would be between Siena Lakes development and St. Katherine's. The justification also mentions the lakes as providing visual relief. The lakes are more of a visual amenity, which is why the code allows for clustering to open up views to the lake. To meet the intent of the LDC, there needs to be some type vegetative screen/buffer between the uses. I also have a question about the additional 10' crowns that they are stating the palms will have. I understand the 15-20' C.T. but, but the code does not have a requirement for crown spread for palms like for hardwood trees, so I'm not sure what the 10' would be in addition to regarding the crown.

Response: Deviations 6 & 7 were previously approved. Deviation 6 was amended to reference the name of the internal access easement (Siena Lakes Drive). Deviation 7 was approved for the Orange Blossom Gardens PUD in Ordinance 18-07. The justification for this requested deviation has been revised. The reference to "additional 10' crowns" for the palms has been struck-through.

5. In the Application, under Applicant Contact Information – Please add St. Katherine's Greek Orthodox Church, Inc. as an additional owner.

Response: St. Katherine's Greek Orthodox Church owns a portion of the subject property but is not the applicant. The application has been updated to reflect St. Katherine's as one of the owners.

6. In the PUD Master Plan – Please label the building on the westernmost (Orange Blossom) portion (i.e, ILU, SNF, ALU) to be consistent with rest of the Master Plan.

Response: Revised as requested.

7. The cover letter references a different square footage total (893,587) of commercial uses than the revised PUD exhibit “A” (879,150) which is a difference of 14,437 square feet. Please ensure that the PUD language is correct.

Response: The PUD has been corrected to reflect a maximum square footage of 917,112 square feet, consistent with the requested FAR of 0.6.

8. The cover letter states that the petition for Siena Lakes CCRC CPUD is requesting that boundaries are amended to include the Orange Blossom Gardens PUD and to allow for the development of 76 independent living units on the Orange Blossom Gardens PUD site. If all of the acreage of Orange Blossom Gardens PUD is now part of Siena Lakes CCRC CPUD, does Orange Blossom Gardens PUD still exist? Is there a legal action needed? There is no mention of the 76 residential units mentioned in the PUD. Should there be a distinction of where these units are located?

Response: Whether an additional action is necessary, other than this rezoning, in order to repeal the Orange Blossom Gardens PUD, is a question for the county attorney's office. All principal uses (including independent living units) are allowed throughout the PUD, although the general location of ILU, ALU, and SNU have been identified on the Master Plan.

COUNTY ATTORNEY REVIEW – SCOTT STONE

1. Your application (page 1) lists ELP Living Properties II, LLC, sole member of Siena Lakes, LLC as property owner. However, you also need to include St. Katherine's Greek Orthodox Church, Inc. as property owner. Moreover, sunbiz.org lists Erickson Living Properties II, LLC, not ELP Living Properties, II, LLC. Please revise the application sheet accordingly.

Response: The application has been revised.

2. See handwritten markups on proposed PUD document, to be sent by separate email from the planner.

Response: Revisions made as requested.

3. The existing Orange Blossom Ranch PUD will be repealed. Therefore, any provisions in that PUD that you would like or need to keep, will need to be added to the Siena Lakes PUD. For example, several sections of the Orange Blossom PUD relate to certain temporary principal uses, but there is no such language proposed in the Siena Lakes PUD - was that intentionally omitted? Also, there are several developer commitments under Section IV of the Orange Blossom PUD that are not included in the Siena Lakes PUD - please have staff confirm that those do not need to be added as part of this PUDA.

Response: Yes, the exclusion of "temporary principal uses" was intentional. The language in the Orange Blossom Gardens PUD document relating to "temporary" principal uses was included because the sales center was off-site and it was anticipated that the sales center would either a) be incorporated into the Siena Lakes PUD or b) be discontinued, and the building taken over by St. Katherine's Greek Orthodox church for other uses. A maximum duration for the temporary use was added at the request of the assistant county attorney, Heidi Ashton-Cicko. With this application, the sales center becomes a recognized accessory use to the Continuing Care Retirement Community, and the standards and limitations related to a "temporary" principal use of an off-site sales center become moot.

Two developer commitments were inadvertently not carried over into the Siena Lakes CCRC CPUD and have been added to the revised PUD document – Transportation requirement #4, regarding right-of-way reservation for Orange Blossom Drive, and Environmental commitment #2, regarding listed species surveys and soil testing. Others that were not maintained are either repetitive to those already found in the Siena Lakes CCRC CPUD or repetitive to LDC requirements and are not necessary.

4. Under Exhibit A of the Siena Lakes PUD, it states that "Development shall be permitted at a combined maximum floor area ratio (FAR) of 0.60." This FAR applies only to the existing Siena Lakes property (29.25 acres). However, if you wish to have that apply to the Orange Blossom Gardens property being added to the PUD, then you'll need to request a new deviation to allow that. If you don't want it to apply to the Orange Blossom Gardens property, then you'll need to revise the language above as follows: "Development shall be permitted at a combined maximum floor area ratio (FAR) of 0.60 for property located east of Siena Lakes Drive."

Response: It is not the applicant's intent to limit the FAR of 0.60 to the existing Siena Lakes CCRC CPUD only. This property development standard was previously approved for Siena Lakes without a deviation; however, the deviation has been added to clarify

that the 0.60 FAR will apply to the entirety of the PUD, including the additional 5.85 acres (Orange Blossom Gardens PUD).

LANDSCAPE REVIEW – MARK TEMPLETON

1. Please label the buffers on the updated master plan.

Response: The perimeter buffers are labeled with a flag note (depicted as a number inside a circle) and labeled on the second Master Plan sheet (Exhibit C-2). Unfortunately, there is not enough room at an 8.5" x 11" scale to include the typical buffer notation on such a detailed Master Plan.

2. Regarding deviation #7, the LDC allows for modified buffers adjacent to lakes to provide views. The modified Type A buffer trees can be placed between buildings and lakes, provided in clusters no more than 60' apart and meet LDC requirements. If the deviation to eliminate the buffer is still desired, the justification should be revised to eliminate language regarding visibility from Orange Blossom Dr. or Siena lakes Dr. as this is not pertinent to buffers between adjacent uses. The purpose of this buffer is to "minimize negative effects between adjacent land uses."

Response: Deviation 7 was previously approved by Ord. 18-09 for the Orange Blossom Gardens PUD. The justification has been revised as requested.

3. Under landscape standards, the East side of Siena Lakes Dr states that it will be a Type 'B' buffer, but the flag notes for the plan indicate it will be a 'D' buffer. Please revise for consistency.

Response: Revised as requested.

GENERAL COMMENTS – TIMOTHY FINN

1. Additional comments or stipulations may be forthcoming once a sufficient application has been submitted for review. This correspondence should not be construed as a position of support or non-support for any issues within the petition. Staff will analyze the petition and the recommendation will be contained in the staff report prepared for the Collier County Planning Commission (CCPC) or Hearing Examiner (Hex).

Response: Acknowledged.

2. Please be advised that pursuant to the LDC, an application can be considered closed if there has been no activity on the application for a period of six (6) months. That six months period will be calculated from the date of this letter.

Response: Acknowledged.

3. Please ensure that all members of your review team that may testify before the Hex/CCPC and the Board of County Commissioners (BCC) are registered as lobbyists with the county pursuant to the regulations regarding that issue.

Response: Acknowledged.

4. When addressing review comments, please provide a cover letter outlining your response to each comment. Include a response to all comments.

Response: Acknowledged.

5. Please put revised dates on all exhibits and in the title block of the Site Plan. The PUD document should include a footer that reflects the project name, petition number, date and page X of Y for the entire document. ***Documents without this information will be rejected.***

Response: Acknowledged.

6. A partial resubmittal cannot be accepted; please do not resubmit until you can respond to all review comments.

Response: Acknowledged.

7. Public hearings cannot be held until the Neighborhood Information criteria has been met. In some petition types a Neighborhood Information Meeting (NIM) must be held while other petition types only require the agent to send a letter. All letters and ads must be pre-approved by the county planner. For additional information about the process please contact me. Please note that the NIM must be held at least 15 days prior to the first hearing. As you prepare for that meeting, please be aware of the following items:
 - a) Please provide the required affidavit and its attachments prior to the meeting (in compliance with the LDC); and
 - b) Please post signs to direct attendees to the exact meeting location; and
 - c) Please ensure that there is sound amplification equipment available and working for this meeting. If there is no permanent equipment, please bring a tested/working portable microphone; and
 - d) You must provide a written synopsis of the meeting that includes a list of all questions and answers as well as providing the audio/video tape; and
 - e) Please prepare documents for hand out to all NIM attendees and the public hearing file, that show the differences in the uses that would be allowed in the

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existing and proposed zoning districts. This request is based upon recent CCPC direction.

Response: Acknowledged.

8. Note the adopted fee schedule requires payment of additional fees for petitions that require more than four resubmittals; please contact the appropriate staff and resolve issues to avoid this fee.

Response: Acknowledged.

We enclose the following:

- One (1) copy of Response Letter (this is the Response Letter);
- One (1) copy of revised PUDA Application;
- One (1) copy of revised PUD document;
- One (1) copy of revised Deviations and Justifications;
- One (1) copy of revised Master Plan;
- One (1) copy of revised Boundary Survey;
- One (1) copy of Bonneted Bat Cavity Scoping Description; and
- One (1) copy of revised TIS.

If you have any questions, please don't hesitate to contact me.

Very truly yours,

HOLE MONTES, INC.



Robert J. Mulhere, FAICP
Vice President, Planning Services and Business Development
RJM/sek

Enclosures as noted.

cc: David Archibald w/enclosures
Richard Yovanovich, Esquire w/enclosures
Helen Athan, Esquire w/enclosures