

August 25, 2021

Ms. Laura DeJohn, AICP
Collier County Growth Management Division
2800 North Horseshoe Dr.
Naples, FL 34104

RE: Carman Drive 15 (PUDZ)
PL20210000624

Dear Ms. DeJohn:

Enclosed please find responses to your insufficiency letter dated July 15, 2021. The following information has been provided to assist in Staff's review and approval:

1. Comment Response Letter;
2. Revised PUD Document;
3. Revised Application Form;
4. Revised PUD Master Plan;
5. Revised Evaluation Criteria;
6. Revised Boundary Survey;
7. Stormwater Master Plan Exhibit;
8. Black Bear Management Plan;
9. Revised Deviation Justification Narrative; and
10. Revised Covenant of Unified Control.

The following is a list of Staff's comments with the Applicant's responses in **bold**.

Comprehensive Planning Review Comments:

1. Miscellaneous Corrections: This PUD Amendment petition may only be deemed consistent with the Future Land Use Element (FLUE) of the Growth Management Plan if the companion GMPA (PL20210000623) is approved and goes into effect and the uses and intensities in this PUD align with those in the GMPA.

RESPONSE: So noted.

2. Miscellaneous Corrections: Companion GMPA identifies subdistrict for this PUD shall be developed with a common theme for architecture, signage, lighting and landscaping. Please identify this within the PUD language.

RESPONSE: The above language was eliminated from the proposed text amendment in the companion GMPA.

3. Miscellaneous Corrections: Provide language demonstrating a minimum of two (2) different dwelling types will be provided within the project as identified in the companion GMPA.

RESPONSE: This above language has been eliminated from the proposed GMPA.

4. Miscellaneous Corrections: In response to consistency with Policy 5.6 address compatibility with Swamp Buggy Track at the Florida Sports Park.

RESPONSE: Please refer to the revised Evaluation Criteria document. The analysis of Growth Management Plan (GMP) consistency has been updated to address compatibility with the Swamp Buggy Track at the Florida Sports Park.

Emergency Management Review Comments:

1. Emergency Management staff review is underway, and comments received were provided to the applicant on 7/15/21.

RESPONSE: So noted.

Engineering Stormwater Review Comments:

1. Miscellaneous Corrections: Please provide a stormwater master plan that addresses run-off rate approximate outfall location and pathway from proposed site outfall to the SR 951 Henderson Canal.

RESPONSE: Please refer to the Stormwater Master Plan Exhibit attached.

Engineering Surveyor Review Comments:

1. Boundary Survey, parcel 2 legal description, the end call of " SW 1/4" is missing.

RESPONSE: Please refer to the revised Boundary Survey. The end call of "SW ¼" has been added.

Environmental Review Comments:

1. Please address how the proposed project is consistent with Conservation Coastal Management Element (CCME) Policy 6.1.1 and Objective 7.1.

RESPONSE: Please refer to the revised Evaluation Criteria addressing consistency with Conservation Coastal Management Element (CCME) Policy 6.1.1 and Objective 7.1.

2. Provide the following Environmental Data (LDC 3.08.00):
The property has been cleared were permits issued or a violation case for the property?
The FLUCFCS Exhibit 2 indicates there are wetlands (12.19 acres) please explain what the mitigation for the impacts to the wetlands will be?

RESPONSE: The Project site was cleared of vegetation in 2017, by the previous landowner, and fill was deposited on the eastern portion of the site resulting in the issuance of a Cease and Desist letter by the U.S. Army Corps of Engineers (COE) on August 1, 2017 and a notice of violation from the South Florida Water Management District (SFWMD) on August 8, 2017.

In coordination with the previous property owner, SFWMD staff issued Consent Order No.

2019-067-CO-ERP on November 7, 2019. As required by the Consent Order, the respondent is required to obtain an environmental resource permit (ERP) from the SFWMD and provide wetland mitigation in the amount of 3.28 credits. Similarly, the COE determined that 3.28 wetland mitigation credits will be required for the Project.

The applicant purchased the property in December 2020 and is currently in coordination with both the SFWMD and the COE to obtain environmental permits for the Project (SFWMD Application No. 210623-6603 and COE Application No. SAJ-2017-02183). Compensation for wetland impacts and fulfillment of the 3.28 wetland mitigation credit requirement will be provided through the preservation and enhancement of a 25.95± acre Off-Site Mitigation Parcel.

The Parcel is located within the limits of the Belle Meade Natural Resource Protection Area (NRPA), an area of Collier County targeted for acquisition and protection by the state.

The enhancement and preservation of the Off-Site Mitigation Parcel and its connectivity to the Picayune Strand State Forest will benefit the wildlife species known to utilize the area and will function as a corridor for wildlife movement. The proposed Off-Site Mitigation Parcel will be of greater regional ecological value and will also provide greater long-term value than additional preservation efforts of the degraded on-site wetlands.

3. Please clarify, the Development Commitments (Exhibit F) indicates the preserve requirement will be satisfied offsite, however the environmental data indicates 25.78 acres is to be preserved? .24 acres is all that the LDC requires. Is the 25.78 acres to be donated to Conservation Collier and have they been contacted regarding a proposed land donation? Please clarify. How was 25.82 acres derived?

RESPONSE: Please refer to the revised PUD Document. Commitment 3.A. has been updated per the above comment.

In accordance with Section 3.05.07.H.1.f.vi.b, off-site land donations provided at a 4:1 ratio may be utilized to satisfy the native vegetation preservation requirement. As determined by the native vegetation present on the Project site prior to clearing, the Collier County native vegetation preservation requirement totals 0.24± acre and the utilization of off-site lands at a 4:1 ratio would result in the requirement of a 0.96± acre off-site land donation (i.e., 0.24 acre x 4 = 0.96 acre).

Compensation for SFWMD and COE wetland impacts will be provided through the preservation and enhancement of a 25.95± acre Off-Site Mitigation Parcel. The Parcel is located within the limits of the Belle Meade NRPA, an area of Collier County targeted for acquisition and protection by the state, is surrounded by other state owned lands, provides habitat for listed species, and also provides a corridor for wildlife movement through the Picayune Strand State Forest.

The Off-Site Mitigation Parcel is comprised of 25.78± acres of native vegetation and therefore exceeds the 0.96± acre off-site native vegetation preservation requirement. The Off-Site Mitigation Parcel will be enhanced through the removal of exotic vegetation, preserved in perpetuity, and protected via a conservation easement dedicated to the SFWMD and Collier County.

Upon agreement that the Parcel has satisfied the requirements of the SFWMD and COE mitigation program, it is anticipated that the lands will be transferred to the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida (TIITF), the Florida Division of State Lands to be managed by the Florida Forest Service as part of the Picayune Strand State Forest, or another acceptable entity. To date, an entity has not been contacted regarding a potential donation of the Off-Site Mitigation Parcel.

4. Provide the following Environmental Data (LDC 3.08.00):
Please address Black Bear management for the proposed project. Provide an exhibit, show the presence of black bear in relation to the proposed project's location.

RESPONSE: As requested, an exhibit is enclosed depicting the location of black bear telemetry in relation to the Project location. In addition, the enclosed black bear management plan has been prepared to address project related concerns regarding the Florida black bear (*Ursus americanus floridanus*).

5. Provide the following Environmental Data (LDC 3.08.00):
The Listed Species Survey (Summary 4.0) indicates no listed species were observed onsite; will any additional consultations be taken regarding listed species referenced by various zones (ie Primary Panther Zone) with the state and or federal agencies?

RESPONSE: Per email communication with the COE dated December 21, 2020, the U.S. Fish and Wildlife Service found that the proposed action may affect, but is not likely to adversely affect, any federally listed species protected by the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et. seq.).

The Florida Fish and Wildlife Conservation Commission (FWCC) will evaluate the Project as part of the SFWMD ERP review process for Application No. 210623-6603; however, to date, no comments have been received from the FWCC.

Parks and Recreation Review Comments:

1. Review 1. Parks & Recreation staff review is underway, and any comments received will be provided to the applicant.

RESPONSE: So noted.

Public Utilities – PUED Review Comments:

1. In the "Infrastructure" section of the narrative in the cover letter, please identify Rattlesnake Hammock Road rather than Collier Boulevard as the location where potable water and wastewater infrastructure is available.

RESPONSE: Please refer to the revised Cover Letter/Project Narrative. The location of utilities has been updated to Rattlesnake Hammock Road.

2. Estimate average daily wastewater flow per Part 2 of the Design Criteria, assuming 250 gpd per residential dwelling unit. Estimate peak wastewater flow using a maximum 3-day peaking factor of 1.5 per our 2014 Master Plan. Estimate average daily water demand as 1.4 times the average

daily wastewater flow. Estimate peak water demand using a maximum 3-day peaking factor of 1.3 per our 2014 Master Plan.

RESPONSE: So noted.

3. Footnote #1 of the development standards table changes the reference line from the right-of-way line (per the LDC definition of front yard) to the back of the curb or the edge of the pavement. To avoid confusion, PUEPMD staff advises against changing the definition of front yard and suggests that front yards be reported as 10 feet or more based on the LDC definition (i.e. that footnote #1 be deleted and that the development standards table be revised accordingly). If this suggestion is ignored, then PUEPMD staff urges the agent to disclose the front yard definition change during presentation of the proposed development standards at any public hearing to avoid the appearance of misrepresentation. (A 15' front yard setback from the back of the curb is really a 0' setback per the LDC definition of front yard, assuming a standard 60' ROW with a typical 2-lane roadway cross section.)

RESPONSE: Please refer to the revised PUD document. Footnote #1 has been revised per Zoning Staff's comments. The front setback is measured from the building to the right-of-way or road easement line.

4. Please include the following utilities commitment language: "At the time of application for subdivision Plans and Plat (PPL) and/or Site Development Plan (SDP) approval, as the case may be, offsite improvements and/or upgrades to the wastewater collection/transmission system may be required to adequately handle the total estimated peak hour flow from the project. Whether or not such improvements are necessary, and if so, the exact nature of such improvements and/or upgrades shall be determined during PPL or SDP review. Such improvement and/or upgrades as may be necessary shall be permitted and installed at the developer's expense and may be required to be in place prior to issuance of a certificate of occupancy for any portion or phase of the development that triggers the need for such improvements and/or upgrades."

RESPONSE: Please refer to the revised PUD Document. The above referenced language has been added to Commitment 4.A.

School District Review Comments:

1. School district staff review is underway. Any comments received will be provided to the applicant.

RESPONSE: So noted.

Transportation Planning Review Comments:

1. Reference PUD Exhibit F.2.A. Please revise to use language provided at time of preapplication meeting: Provide trip limit based on TIS using standard language: "The maximum total daily trip generation for the PUD shall not exceed ____ two-way PM peak hour net trips 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: Please refer to the revised PUD Document. The above referenced language has been updated in Commitment 2.A.

2. Please confirm the current condition of the private road Carman Drive including the location of the proposed main access for this development. It appears that the main access for the development is located at a non-standard road-intersection configuration related to the eastern side of the roadway and appears it problematic due to number of conflicts. Please provide an operational analysis including alternative intersection configurations.

RESPONSE: Carman Drive is a private road owned by Hacienda Lakes of Naples, LLC and will be constructed to County standards prior to development of the subject property. The Carman Drive improvements have been approved and reviewed by Collier County under PL2018000046.

Please note safety/conflict issues are not anticipated at the project entrance, as Celebration Boulevard to the east services minimal vehicular traffic. Celebration Boulevard is an alternative road utilized by the Florida Sports Park, which has limited events each year that occur only during weekends.

Zoning Review Comments:

1. Please confirm the request is limited to residential dwellings. Application form (page 2) references ALF, however permitted uses and development stds refer to certain dwelling types. Confirm that residential dwellings are now the only requested development type, and correct documents accordingly.

RESPONSE: Please refer to the revised Application. The Application has been updated and no longer reflects ALF.

2. Exhibit "B", Table 1 - minimum lot area, width, and depth must be identified where "N/A" is indicated.

RESPONSE: The requested lot dimensions and setbacks have been identified in the Residential Development Standards Table. Please see revised Exhibit "B" within the RPUD Document.

3. Note (1) indicates a measurement of front setback that is inconsistent with the definition in LDC 1.08.02, which defines front yard as measured between the front building line and street right-of-way line, which may also be a road easement line per LDC 4.02.01. Remove the note to remove this inconsistency so that setback measurement is from building to right of way or road easement line. A good reference for this is your Note (2) which references setback from front property line/right-of-way/access easement.

RESPONSE: Please refer to the revised PUD Document. Note (1) for front setback has been updated to reflect the above referenced language.

4. Exhibit "F" Development Commitment 1.B declares a number of units will be for income-restricted households. No method of monitoring, timeframe for commitment, or enforceability is outlined. See LDC Sec 2.06.00 for the County's affordable housing density bonus program which outlines the standards, commitment timeframe and monitoring provisions for affordable housing projects seeking to qualify for density levels as requested in this PUD, and either state conformity with LDC Sec. 2.06.00 by reference, or introduce these provisions into the PUD document.

RESPONSE: Please refer to the revised PUD Document. Commitment 1.B. in Exhibit F Development Commitment has been revised to include text introducing the noted provisions. The affordable housing commitment will remain in place no less than thirty (30) years and will include an annual report that provides the progress and monitoring of occupancy of designated units.

5. For Deviation #3, the justification document indicates a max. fence/wall/berm height of 8' is requested along the PUD boundary. The PUD Document Exhibit "E" indicates a max. fence/wall/berm height of 10' is requested. Fix inconsistency, identify if this deviation is to apply along PUD perimeter only, and provide a typical section to assist with the review of this request relative to adjacent sites and grade.

RESPONSE: Please refer to the revised PUD Document. Exhibit "E" has been updated to reflect 10-foot fence/wall/berm combination and includes additional text specifying the placement for the fence/wall/berm.

6. Justification for Deviation #4 indicates the max. length of proposed dead end streets will not exceed 150', compliant with state and local fire safety standards. The concept plan appears to show a dead end street that extends from near the Carman Drive entrance to the west end of the site, which is 1200+ feet length. Fix/correct the request and justification.

RESPONSE: Please refer to the revised Deviation Narrative and PUD Document. The deviation has been separated into two (2) separate requests: a deviation for a dead-end exceeding 1,000 feet and a hammerhead design in lieu of a cul-de-sac at the terminus of the access way/easement.

7. Remove note on Master Plan that indicates 20% of units shall be reserved for affordable housing. The terms of the affordable housing commitments will be stated in Exhibit "F"--removing from the master plan will help eliminate potential consistency issues. Also, fix typo in density calculation to read "units/acre" instead of "units/acres"

RESPONSE: Please refer to the revised Master Plan. The note that indicated 20% affordable housing has been removed and the typo has been fixed to reflect "units/acre".

8. In the narrative letter, page 3 of 5, a statement is made that 5' sidewalks are proposed on either side of the street. 5' sidewalks are required on both sides of the street per LDC 6.06.02. Revise this statement to make clear that 5' sidewalks shall be on both sides of the street.

RESPONSE: Please refer to the revised Narrative Letter and Evaluation Criteria. The referenced text above has been added to reflect LDC 6.06.02.

9. On page 3 of application form, confirm addresses of affected HOAs, because the same address is listed for the three entries. Update the list of affected HOAs by adding HOAs in proximity to the site.

RESPONSE: Please refer to the revised Application form attached. The address for the East Naples Civic Association has been updated.

County Attorney Review Comments:

1. Covenant of Unified Control: Please state that David Torres is Managing Member of Carman Drive 15, LLC

RESPONSE: Please refer to the updated Covenant of Unified Control. David Torres has been listed as a Managing Member of Carman Drive 15, LLC.

2. Attorney review of the requested PUD document/Exhibits A-F will commence with Submittal 2. If all County staff approve Submittal 1, the County Attorney's office will be notified and the PUD document/Exhibits A-F in submittal 1 will be reviewed.

RESPONSE: So noted.

Landscape Review Comments:

1. Since the buffer along Carman Drive will not be based on type of internal development, please label this buffer as a 20' Type D as mentioned in the pre-app notes.

Since the buffer where abutting FPL parcel will not be based on type of internal development, please label this as a 10' Type A as indicated in the pre-app notes.

Based in aerial imagery, the preserve along the Southern boundary of the Lords Way 30 Acre PUD to the North is sparse and at the time of that development the preserve just needed to meet the requirements of a Type A buffer. Please label the North buffer as a 15' Type B as indicated in the pre-app notes.

RESPONSE: Please refer to the revised PUD Master Plan. The roadway buffer has been labeled as "20-foot-wide Type D buffer" and northern boundary adjacent to the FPL site has been labeled "10-foot-wide Type A buffer".

It is unknown whether single- or multi-family units will be developed adjacent to the Sapphire Cove preserve. This buffer label remains labeled "Buffer per LDC at the time of SDP/PPL".

2. Regarding deviation 1, please clarify if the muhly grass will be located on the residential tract, or on the residential side of the 5' high hedge in the 7.5' Type B buffer on the amenity tract.

RESPONSE: Please refer to the revised Deviation Justification Narrative. It has been specified that the muhly grass shall be planted on the single-family residential side of the 7.5' buffer.

3. The purpose and intent of buffers per 4.06.01 A.2 includes improving the aesthetic appearance of residential developments in ways that harmonize the natural and built environment, reducing glare (i.e., from car windows in adjacent parking lots) and to minimize visual impacts of various things including parking areas. Trees in buffers in multi-family developments are also often needed to meet the general tree requirement of 1 tree/2000 s.f. of pervious area in multi-family developments. This is a higher rate than the 1/3000 s.f. requirement for single family lots and commercial developments. While staff understands the intent to create opportunity for spatial and social interaction, staff also understands the importance of a certain amount of privacy for times when residents do not wish to engage in social interaction. In addition to the purpose and intent of buffers listed in the LDC, buffer plantings can also provide some level of privacy for residents when they are enjoying their outdoor patio or balcony. Staff could potentially support a deviation

to allow only a 15' Type B buffer on the multi-family side and no buffer on the single family side based on adequate justification. But given the purpose and intent of buffers, the parking that is associated with multi-family buildings, and the need for some level of privacy, staff cannot support deviation 2.

RESPONSE: Deviation 2 has been revised to omit buffers internal to the RPUD between differing dwelling types. The proposed unit types and development layout will accommodate the necessary parking and will not be served by surface parking lots. The Deviation Narrative has been updated with this information to assist in Staff's review.

If you have any further questions, please do not hesitate to contact me directly at (239) 850-8525, or Alexis.Crespo@waldropengineering.com.

Sincerely,

WALDROP ENGINEERING, P.A.



Alexis Crespo, AICP
Senior Vice President – Planning

cc: David Torres, Carman Drive 15, LLC
Richard Yovanovich, Esq., CYK Law Firm
Bethany Brosious, Passarella & Associates
Ted Treesh, TR Transportation Consultants