



Civil Engineers • Land Surveyors • Planners • Landscape Architects

April 28, 2022

Ms. Laura DeJohn, AICP
Senior Planner
Collier County Growth Management Department
2800 North Horseshoe Drive
Naples, FL 34104

RE: 5175 Maple Lane Rezone (PL20210002449), Submittal 1

Dear Ms. DeJohn:

This correspondence is our formal response to the sufficiency review letter provided to us on December 30, 2021. Responses to staff comments have been provided in **bold**.

Rejected Review: Addressing - GIS Review

Reviewed By: Annis Moxam

Email: annis.moxam@colliercountyfl.gov Phone #: (239) 252-5519

Correction Comment 1:

On Survey - Street name Cove Lane needs to be changed to Raintree Lane per SNR recorded in OR 385 page 873

Response:

The survey has been revised and is included with submittal 2.

Rejected Review: Comprehensive Planning Review

Reviewed By: Sue Faulkner

Email: Sue.Faulkner@colliercountyfl.gov Phone #: (239) 252-5715

Correction Comment 1:

Would like to see the concept plan before approving.

Response:

This is a conventional rezoning; therefore, there is no conceptual master plan. We have prepared an exhibit which identifies a potential single family site layout for the property. The conceptual site plan is included in this submittal.

Correction Comment 2:

Please write an evaluation for FLUE's Policies 5.3, 5.6, 7.1-7.4 and include with next submittal.

Response:

An evaluation for FLUE's Policies 5.3, 5.6, 7.1-7.4 has been provided in the Evaluation Criteria which is included with submittal 2.

Rejected Review: Emergency Management Review

Reviewed By: Laura DeJohn VEN

Email: Laura.DeJohn@colliercountyfl.gov Phone #: (239) 252-5587

Correction Comment 1:

Rev1. Comments from Emergency Management staff will be forwarded when received (if any).

Response:

Acknowledged.

Rejected Review: Engineering Stormwater Review

Reviewed By: Richard Orth

Email: Richard.Orth@colliercountyfl.gov Phone #: (239) 252-5092

Correction Comment 1:

Miscellaneous Corrections Please provide a basic stormwater management plan to include the approximate location of the stormwater outfall and any encroachment into the 50 and 30 drainage easements along the north and east property lines.

Response:

A brief description of the anticipated stormwater system and a conceptual Surface Water Management Plan has been prepared.

The conceptual water management plan consists of dry detention area on the northeast part of the site. This area will collect stormwater from the entire site. The stormwater will be treated and attenuated for water quality and the 25 yr 3 day storm event. Discharge will be to the south to the county canal through a control structure in the detention area. The design will include a perimeter berm to contain the 25 yr storm event. Discharge will be away from the Maple Ln properties. There will be no encroachment into the DEs.

Rejected Review: Environmental Review

Reviewed By: Craig Brown

Email: Craig.Brown@colliercountyfl.gov Phone #: (239) 252-2548

Correction Comment 1:

Please address compliance with CCME 6.1 and Objective 7.1.

Response:

The evaluation criteria has been revised to address compliance with CCME 6.1 and Objective 7.1., which is included with submittal 2.

Correction Comment 2:

Has soil/ground water testing been performed onsite, if so please provide the report for staff to review.

Response:

Soil and groundwater testing has not been prepared. Testing and the analysis will be provided at the time of Plat approval.

Rejected Review: Graphics - GIS Review

Reviewed By: Beth Yang

Email: beth.yang@colliercountyfl.gov Phone #: (239) 252-6208

Correction Comment 1:

Legal description is incorrect. On Survey - Street name Cove Lane needs to be changed to Raintree Lane per SNR recorded in OR 385 page 873

Response:

The survey has been updated and is included with submittal 2.

Rejected Review: Historical Review

Reviewed By: Ray Bellows

Email: ray.bellows@colliercountyfl.gov Phone #: (239) 252-2463

Correction Comment 1:

An archaeological and cultural assessment is required.

Response:

No cultural or historical resources eligible for listing in the National Register of Historic Places have been identified on the property. It is anticipated that the proposed project will have no effect on cultural resources listed or eligible for listing in the National Register of Historic Places. A waiver has been requested as the property appears to be located south of the area in Section 30 per the Historical and Archeological Probability Maps. The identified area appears to be located within what is now the Treviso Bay PUD.

Rejected Review: Landscape Review

Reviewed By: Mark Templeton

Email: Mark.Templeton@colliercountyfl.gov Phone #: (239) 252-2475

Correction Comment 1:

Since the rezone is proposed for a specific use, please provide a Master Plan with the perimeter buffers labeled. If there is a preserve along the boundary, please also include the preserve as buffer note.

Response:

A conceptual Master Plan is not required for a conventional rezoning. The site will be utilized for only single-family residences and buffers will be provided in compliance with the LDC.

Rejected Review: Public Utilities - PUED Review

Reviewed By: Eric Fey

Email: Eric.Fey@colliercountyfl.gov Phone #: (239) 252-1037

Correction Comment 1:

1/24/2022: The first paragraph of the narrative includes the sentence, "No more than 20 units will be developed on the property." This is inconsistent with the 16 units indicated elsewhere in the application materials.

Response:

The Evaluation Criteria document has been revised to state the correct number of units.

Correction Comment 2:

1/24/2022: Provide evidence that the existing 6" water main along the southern edge of the property is contained within a utility easement dedicated to the Collier County Water-Sewer District, and note this easement on the boundary survey. Otherwise, please prepare a deed of utility easement using Standard Form 7 in Sec. 134-64 of the Collier County Code of Ordinances. The easement shall be conveyed in accordance with the Collier County Utilities Standards and Procedures Ordinance (04-31, as amended) at no cost to the County or District, free and clear of all liens and encumbrances, prior to or concurrent with the Board of County Commissioner's approval of the rezoning ordinance.

Response:

The deed will be provided concurrent with the plat approval for the subdivision.

Correction Comment 3:

1/24/2022: Provide evidence that the Collier County Water-Sewer District has a utility easement through the adjacent property at 5200 Maple LN (FLN 60783320005) that facilitates

maintenance of the existing 6" water main running to the property from Maple Lane. Alternatively, provide evidence that the Collier County Water-Sewer District has a utility easement through one or both of the adjacent properties at the west end of Raintree Lane (FLNs 60785680002 and 60784600009) that would facilitate a new water main extension from the western terminus of the existing 6" water main. Note any such easement(s) on the boundary survey. Otherwise, please obtain and furnish a copy of the necessary utility easement(s) from the adjacent property owner(s) to the developer, and prepare a deed(s) of utility easement using Standard Form 7 in Sec. 134-64 of the Collier County Code of Ordinances executed by the adjacent property owner(s) as grantor(s) to the Collier County Water-Sewer District as grantee. The easement(s) shall be conveyed in accordance with the Collier County Utilities Standards and Procedures Ordinance (04-31, as amended) at no cost to the County or District, free and clear of all liens and encumbrances, prior to or concurrent with the Board of County Commissioner's approval of the rezoning ordinance.

Response:

A copy of the utility easement (OR Book 1468 Page 115) is included in this submittal. conveyance to the County should occur prior to plat approval and a condition requiring the conveyance should be in the Zoning Ordinance.

Correction Comment 4:

1/24/2022: Provide evidence that the property owner has a utility easement through the adjacent property at 5200 Maple LN (FLN 60783320005) and/or the adjacent properties at the west end of Raintree Lane (FLNs 60785680002 and 60784600009) that will facilitate extension of either existing sewer from its current western terminus along with a County Utility Easement(s) that will facilitate conveyance of the sewer to the Collier County Water-Sewer District. Note any such easement(s) on the boundary survey. Otherwise, please obtain and furnish a copy of the necessary utility easement(s) from the adjacent property owner(s) to the developer, and prepare a deed of utility easement using Standard Form 7 in Sec. 134-64 of the Collier County Code of Ordinances executed by the adjacent property owner(s) as grantor to the Collier County Water-Sewer District as grantee. The easement(s) shall be conveyed in accordance with the Collier County Utilities Standards and Procedures Ordinance (04-31, as amended) at no cost to the County or District, free and clear of all liens and encumbrances, prior to or concurrent with the Board of County Commissioner's approval of the rezoning ordinance.

Response:

A copy of the utility easement (OR Book 1468 Page 115) is included in this submittal.

Correction Comment 5:

1/24/2022: Staff has requested a pump station report to confirm downstream wastewater system capacity. A developer commitment may be required to correct any deficiency found.

Response:

Please add a Developer Commitment in the draft Zoning Ordinance if this is required.

Rejected Review: Transportation Planning Review

Reviewed By: Michael Sawyer

Email: michael.sawyer@colliercountyfl.gov Phone #: (239) 252-2926

Correction Comment 1:

Rev.1: It appears that some of the easements provided include provisions for road maintenance. Understanding recent issues discussed at CCPC related to privately maintained roadways and existing conditions please outline how your access easements address current conditions and maintenance, it also appears that the easement between this parcel and the cul-de-sac are narrowed. Please provide dimensions of this portion of the access and approximate pavement width.

Response:

We have field verified that the pavement is 20' in width, consistent with other local public roads in the vicinity. The maintenance agreement allows for shared costs for maintenance and if one party is not responsive the other is allowed to make any necessary repairs and bill them for the shared costs.

Correction Comment 2:

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

Rev.1: Will there be access provided on Raintree so that this development completes-connects with the existing road network in this neighborhood. Additionally, how many access points are proposed for this development. Appears there are two currently one of which is a loop-circle drive. Access should be limited to a single point at each location-road frontage.

Response:

No access will be provided to Raintree Lane. One access point to Maple Lane is proposed.

Correction Comment 3:

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

Rev.1: Condition of approval: Provide trip cap as requested at pre app meeting using county preferred language.

Response:

The requested trip cap language has been added to the proposed Conditions of Approval.

Rejected Review: Zoning Review

Reviewed By: Laura DeJohn VEN

Email: Laura.DeJohn@colliercountyfl.gov Phone #: (239) 252-5587

Correction Comment 1:

Rev1. A Neighborhood Information Meeting is required. As noted in the pre-app notes, provide a concept plan at time of the NIM so surrounding property owners understand the intended outcome for the rezoning (i.e., the ingress/egress points, lot layout, and features that will provide compatibility with surrounding neighborhoods.)

Response:

A Neighborhood Information Meeting was held February 23, 2022 and a conceptual site plan was presented. In coordination with staff following the NIM, we have prepared acceptable Conditions of Approval which can be included in the Zoning Ordinance.

Rejected Review: County Attorney Review

Reviewed By: Derek Perry

Email: Derek.Perry@colliercountyfl.gov Phone #: (239) 252-8066

Correction Comment 1:

Miscellaneous Corrections: Please confirm whether this easement contemplated an additional 16 homesites and that this rezoning does not “increase the burden” of the existing easement (see, e.g., *Crutchfield v. F. A. Sebring Realty Co.*, 69 So. 2d 328, 330 (Fla. 1954) (“[T]he burden of a right of way upon the servient estate must not be increased to any greater extent than reasonably necessary and contemplated at the time of initial acquisition.”)). Please resolve accordingly with other easement interest holders, which appear to include the following properties: Lot 25, Block F, Myrtle Cove Acres Unit No. 1, PB 3, PG 38; Lot 1, Block E, Myrtle Cove Acres Unit No. 1, PB 3, PG 38; and Tract 9 of Unrecorded Addition to Myrtle Cove Acres. Resolving this review comment will require substantive discussion and/or further submittal to the County Attorney’s Office.

Response:

The applicant is glad to meet to discuss the County Attorney comment, if necessary. Please also see correction comment #1 under transportation review with regard to the easement and utilities correction comment #4.

Correction Comment 2:

Miscellaneous Corrections: Please provide evidence that Myrtle Cove, Inc., grantor of OR Book 87, Page 267, owned Lots 1 and 2 in Block E as of June, 28, 1961. Such evidence may be evident through OR Book 160, PG 489 and OR Book 281, Page 947 (these records are not available online for review purposes). Please confirm with County ROW acquisition staff that the County owns and maintains the rest of Maple Lane.

Response:

A copy of OR Book 1468 Page 115 and County Plans are attached showing ownership.

Correction Comment 3:

Miscellaneous Corrections: The "subject" portion of the legal description of the "easement for roadway purposes" described by the application describes "part of Lots 1 and 2 in Block E;" however, the survey and other application materials does not show the easement affecting Lot 2. Please resolve and/or clarify.

Response:

The survey depicts the easement as described in OR Book 87 PG 207, per that description the easement falls outside of Lot 2. The sentence containing words "part of Lots 1 and 2 in Block E;" is not the description of the actual easement, the described easement is stated in the paragraph below that.

Correction Comment 4:

Miscellaneous Corrections: Please submit a site plan. Substantive review to commence at second submittal. Please feel free to give me a call if you have any questions or need additional information: Derek D. Perry, (239) 252-8066.

Response:

A conceptual site plan is included in this submittal.

Please feel free to contact me should you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "D. Wayne Arnold".

D. Wayne Arnold, AICP

c: Wolfgang Gilles
GradyMinor File (MLRZ-21)