



May 11, 2018

By email to:

Mayor Barnett

Vice Mayor Price

City Council Members Buxton, Hutchison, McLeod, Penniman and Seigel

Dear Mayor Barnett, Vice Mayor Price and City Council members,

The Old Naples Association supports redevelopment of the abandoned plaza property on Broad Avenue and the granting of a conditional use for a hotel at this location.

However we also believe the hotel as proposed is too big and ask that you require the applicant to revise the project so that it meets the requirements of our Land Development Code. That will produce a "right-sized" hotel that will complement the surrounding commercial and residential sections of Old Naples over the coming decades, while making it clear to all developers that our Code matters.

ONA has previously expressed our concerns regarding the size and design of the proposed project in letters to the DRB (May 19, 2017) and PAB (April 6, 2018) as attached. We ask that this letter and these DRB and PAB attachments be placed in the record of the Wednesday May 16<sup>th</sup> City Council meeting.

You are aware that the proposal includes multiple requests for relief from our Land Development Code, including height, coverage, parking and truck deliveries. We do not belabor these points further here, as this ground has been amply covered. We merely summarize that although this proposal has a beautiful façade, it is too dense and intense for the site, is woefully under-parked, will substantially detract from the appearance and function of the historic Broad Avenue and will result in inevitable traffic and parking failures that will spill into the surrounding commercial and residential areas.

In 2013 City Council voted to remove the transient density cap of 26 units per acre for this zone. Council was repeatedly assured by the Planning Department that the remaining pillars of the Code – height, coverage and parking chief among them – would be sufficient to constrain overly dense and intense projects. You may find the video excerpts of these meetings helpful in your deliberations:

- Video excerpt of April 3, 2013 City Council meeting ([link here](#), 5 minutes).
- Video excerpt of February 13, 2013 Planning Advisory Board meeting ([link here](#), 4 minutes).
- Video excerpt of January 14, 2013 City Council workshop ([link here](#), 15 minutes).

You are now scheduled to hear an overly large hotel proposal requiring multiple exceptions from the Code. It was forwarded to the PAB with no expressed concerns regarding the multiple Code deviations by that very same Planning Department that promised protection through enforcement of the remaining pillars of the Code! When asked whether the applicant would consider changes to reduce these deviations at the PAB, Mr. Passidomo stated to the Planning Advisory Board that "the project cannot and will not be built without them, sir." (Planning Advisory Board video [here](#) at 4:33:57) Following this threat of more years of a decrepit plaza the Planning Advisory Board voted 4-3 in favor of the project.

It therefore falls to you to make good on these promises to follow the Land Development Code. If you do not, what faith can we as residents and voters have in our government?

Before closing, we mention two additional major problems with the proposed project:

1. **It would create a bad precedent:** An approval with these significant deviations would set a precedent for all subsequent projects in the Third Street area; indeed for all of Naples. If you do not show the resolve to follow our Land Development Code now, how in the world will you do so when the next applicant points to this project and says “Well, you did it for them”?
2. **No variance has been requested for off-street loading:** The revised application still does not meet the off-street loading requirements of the Land Development Code,<sup>1</sup> and therefore requires a variance application, which has not been made. The application does not appear to be approvable as submitted.

In the final analysis, after all the words have been said, which is worse?

- This site remains as it is for a few more years, or
- We make a bad decision that will permanently damage the Third Street commercial area and surrounding residential sections of Old Naples

We believe that a delay and revision is a far better outcome than an irreversible mistake. We do not have to give away the quality of our City to get this site redeveloped.

Please send the applicants back to the drawing board with clear direction for a design that meets our Land Development Code and will result in a better plan for our City and our residents. ONA reiterates its support for a code-compliant development at this location.

Thank you on behalf of our Board and members.

  
John Lehmann  
President, ONA

  
Janet Ferry  
Chair, Planning and Development Committee, ONA

cc: David Feight, Chair, PAB  
Robin Singer, Planner, City of Naples  
Pat Rambosk, City Clerk  
Bill Moss, City Manager

Att: ONA letter to DRB dated May 19, 2017  
ONA letter to PAB dated April 6, 2018

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<sup>1</sup> The newly revised (4/25/2018) Type A Loading Space off Broad Avenue and additional Loading Space on the rear exit ramp do not resolve noncompliance with the LDC requirements noted below. Furthermore, since these are not “dimensional” aspects of the Code, they cannot be waived through the Site Plan with Deviations process.

- Section 50-103(a)(6): Aisles and maneuvering area shall be so arranged that no vehicle need back into a public right-of-way.
- Section 50-103(a)(7): No parking or loading space shall interfere with access to another parking or loading space, or with a pedestrian walkway.
- Section 50-105(b): (At least three (3) Type A Loading Spaces are required by the proposed development.)  
(b)(1): one (1) for the retail/restaurant uses, and (b)(3): two (2) for a transient lodging facility of more than forty (40) units.