

**Naples City Council Notice of Meeting and Agenda  
City Council Chamber, 735 8th Street South, Naples, Florida**

**Mayor: Bill Barnett**

**Vice Mayor: Gary Price**

**City Council Members:**

**Reg Buxton, Raymond Christman, Terry Hutchison, Michelle McLeod, Ellen Seigel**

**City Attorney: James Fox • City Clerk: Patricia Rambosk • City Manager: Charles Chapman**

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Welcome to today's City Council meeting. If you wish to address the Council regarding an item listed on this agenda, please complete a registration form at the rear of the room and place it in the Speaker Request Box located on the Council dais prior to consideration of that item. We ask that speakers limit their comments to 3 minutes and that large groups name a spokesperson whenever possible. Thank you for your interest and participation in City government.

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**City Council Regular Meeting  
Wednesday, February 5, 2020  
8:30 AM**

All proposed ordinances and information on other items listed below, which have been provided in advance of this meeting, may be inspected in the office of the City Clerk, Room B, City Hall, or on the City of Naples home page <https://www.naplesgov.com/> or call the City Clerk's Office, 213-1015. All written, audio-visual and other materials presented to the City Council in conjunction with deliberations during this meeting will become the property of the City of Naples and will be retained by the City Clerk.

1. Roll call
2. Invocation and Pledge of Allegiance
3. Announcements
  - 3.A. 10th Anniversary of Imagine Solutions Proclamation
4. Set agenda (add or remove items)

**NOTICE**

**FORMAL ACTION MAY BE TAKEN ON ANY ITEM DISCUSSED OR ADDED TO THIS AGENDA. ANY PERSON WHO DECIDES TO APPEAL ANY DECISION MADE BY THE CITY COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING (OR HEARING) WILL NEED A RECORD OF THE PROCEEDINGS AND MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE HEARD. ANY PERSON WITH A DISABILITY REQUIRING AUXILIARY AIDS AND SERVICES FOR THIS MEETING MAY CALL THE CITY CLERK'S OFFICE AT (239) 213-1015 WITH REQUESTS AT LEAST TWO BUSINESS DAYS BEFORE THE MEETING DATE.**

5. Public Comment

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CONSENT AGENDA

6. City Clerk

- 6.A. Approval of the January 13, 2020 Workshop Meeting minutes.  
Recommended Action: Approve as submitted.

[Agenda Memorandum](#)

[January 13, 2020 Workshop Meeting minutes](#)

7. Risk Management

- 7.A. Approve a Settlement Agreement between Richard Samson and the City of Naples in the amount of \$50,000 for full and complete settlement of Case No. 2:18-cv-274-Ftm-PAM/NPM, inclusive of attorney's fees and costs and authorize the City Manager to execute the Settlement Agreement.  
Recommended Action: Approve Settlement Agreement.

[Settlement Agreement](#)

8. Streets & Stormwater

- 8.A. Resolution - Legislative - A RESOLUTION APPROVING SOUTH FLORIDA WATER MANAGEMENT DISTRICT AGREEMENT 4600004129 TO PROVIDE COST SHARING GRANT FUNDS FOR THE NAPLES BEACH RESTORATION AND WATER QUALITY PROJECT; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.  
Recommended Action: Approve the resolution.

[Agenda Memorandum](#)

[Resolution](#)

[Agreement - SFWMD](#)

END OF CONSENT AGENDA

9. Planning

- 9.A. 19-CU8 - Resolution - Quasi Judicial - A RESOLUTION DETERMINING CONDITIONAL

USE PETITION 19-CU8, PURSUANT TO SECTIONS 58-833(2) AND 58-833(8) OF THE CODE OF ORDINANCES, TO ALLOW AN ECCLESIASTICAL EDUCATION AND CHURCH ADMINISTRATION BUILDING FOR ST. WILLIAM CATHOLIC CHURCH LOCATED IN THE PS PUBLIC SERVICE DISTRICT, ON PROPERTY OWNED BY THE MOST REVEREND FRANK J. DEWANE, BISHOP OF THE DIOCESE OF VENICE, AND LOCATED AT 750 SEAGATE DRIVE

Recommended Action: Approve the Resolution.

[Agenda Memorandum](#)

[Resolution](#)

[PAB Report](#)

[Application](#)

[Disclosure of Interest](#)

[Power of Attorney](#)

[Deed - 1981](#)

[Deed - 1984](#)

[Affidavit of Succession - 2007](#)

[Aerial](#)

[Survey](#)

[Site Development Plan](#)

[Architectural Renderings](#)

[Operational Plan](#)

[Petitioner's Credentials](#)

[Traffic Impact Statement](#)

[Planning Staff Resumes](#)

[Public Hearing Mailing Labels](#)

- 9.B. 19-SPD6 (May be heard concurrently with 19-SD3) Resolution - Quasi Judicial - A RESOLUTION DETERMINING SITE PLAN WITH DEVIATIONS PETITION 19-SPD6 FOR A DEVIATION FROM SECTION 54-7(4) AND SECTION 56-49 TO ALLOW THE NORTHERN PLATTED LOT WITHIN THE PERIMETER PLATTED LOT TO HAVE DIRECT ACCESS TO A PLATTED ALLEY WHERE DIRECT ACCESS TO A PUBLIC OR PRIVATE STREET IS REQUIRED ON PROPERTY OWNED BY DENNIS ARISTONE DEVELOPMENT, LLC, A NEW JERSEY LIMITED LIABILITY COMPANY, AND JOHN M. DALY, LLC, A FLORIDA LIMITED LIABILITY COMPANY, AND LOCATED AT 855 9TH STREET SOUTH

Recommended Action: Approve the Resolution.

[Agenda Memorandum](#)

[Resolution](#)

[PAB Report](#)

[Application](#)

[Exhibit A](#)

[Aerial](#)

[Survey](#)  
[Deed](#)  
[Landscape Plans](#)  
[Civil Plans](#)  
[Architectural Plans](#)  
[Disclosure of Interest](#)  
[Correspondence](#)  
[Expert Resumes](#)  
[Planning Staff Resumes](#)  
[Public Hearing Mailing Labels](#)

- 9.C. 19-SD3 (May be heard concurrently with 19-SPD6) - Resolution - Quasi Judicial - A RESOLUTION APPROVING AND ACCEPTING THE PRELIMINARY AND FINAL (RECORD) PLAT APPROVAL OF 855 9TH AVENUE SOUTH COTTAGES, PURSUANT TO SECTION 54-7, ZERO LOT LINE SUBDIVISIONS, FOR 855 9TH AVENUE SOUTH COTTAGES, A ZERO LOT LINE SUBDIVISION ON PROPERTY CONTAINING APPROXIMATELY 0.17 ACRES OWNED BY DENNIS ARISTONE DEVELOPMENT, LLC, A NEW JERSEY LIMITED LIABILITY COMPANY, AND JOHN M. DALY, LLC, A FLORIDA LIMITED LIABILITY COMPANY, AND LOCATED AT 855 9TH STREET SOUTH

Recommended Action: Approve the Resolution.

[Agenda Memorandum](#)

[Resolution](#)

[PAB Report](#)

[Application](#)

[Deed](#)

[Disclosure of Interest](#)

[Exhibit A](#)

[Aerial](#)

[Survey](#)

[Existing Plat](#)

[Proposed Plat](#)

[Declaration of Covenants and Deed Restrictions](#)

[Opinion of Title - 855 9th Avenue South](#)

[Expert Resumes](#)

[Planning Staff Resumes](#)

[Public Hearing Mailing Labels](#)

- 9.D. 19-LE7 - Resolution - Quasi Judicial - A RESOLUTION DETERMINING OUTDOOR LIVE ENTERTAINMENT PETITION 19-LE7 FOR INDOOR LIVE ENTERTAINMENT WITH DOORS AND WINDOWS OPEN FOR L'OLIVO RISTORANTE ON PROPERTY OWNED BY 643-64 FIFTH AVENUE SOUTH HOLDINGS, LLC, AND LOCATED AT 651 5TH AVENUE SOUTH

Recommended Action: Approve the Resolution with conditions.

[Agenda Memorandum](#)  
[Resolution](#)  
[Supplemental Memorandum](#)  
[Application](#)  
[Disclosure of Interest - Owner](#)  
[Disclosure of Interest - Restaurant Owner](#)  
[Site Plan](#)  
[Report from Fire](#)  
[Approval of A-frame sign by City Manager](#)  
[Correspondence](#)  
[Expert Resume](#)  
[Planning Staff Resumes](#)  
[Public Hearing Mailing Labels](#)

- 9.E. 19-T11 - Ordinance - First Reading - AN ORDINANCE AMENDING CHAPTER 58, ZONING, ARTICLE II, ZONING DISTRICTS, DIVISION 4, R1-15A RESIDENCE DISTRICT, SECTIONS 58-114 MINIMUM LOT AREA AND 58-115 MINIMUM LOT WIDTH, OF THE CODE OF ORDINANCES, CITY OF NAPLES, TO CLARIFY THE METHODS OF DETERMINING MINIMUM LOT AREA AND MINIMUM LOT WIDTH IN THE R1-15A ZONING DISTRICT; APPROVING TEXT AMENDMENT 19-T11; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER PROVISION; AND PROVIDING AN EFFECTIVE DATE.  
Recommended Action: Approve the Ordinance at First Reading, schedule for Second Reading and Public Hearing on February 19, 2020.

[Agenda Memorandum](#)  
[Ordinance](#)  
[PAB Report](#)  
[Letter to Mr. Chapman 12-5-19](#)  
[Port Royal Subdivisions](#)  
[Map of R1-15A](#)

- 9.F. 19-T15 - Ordinance - Legislative - First Reading - AN ORDINANCE RELATING TO VARIANCE CRITERIA; AMENDING CHAPTER 46, ADMINISTRATION, PROCEDURES AND ENFORCEMENT, ARTICLE II, ADMINISTRATIVE PROCEDURES, SECTION 46-37, VARIANCES TO ZONING REQUIREMENTS, SUBSECTION 46-37(b)(3) AND SUBSECTION 46-37(c), VARIANCE CRITERIA, OF THE CODE OF ORDINANCES, CITY OF NAPLES, PURSUANT TO TEXT AMENDMENT 19-T15 TO CHANGE THE NOTICE REQUIREMENTS FOR VARIANCES AND AMEND THE CRITERIA FOR GRANTING VARIANCES TO ZONING REGULATIONS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER PROVISION; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Approve Ordinance on First Reading  
[Agenda Memorandum](#)  
[Ordinance](#)  
[Memorandum from City Attorney to City Council](#)

## [PAB Report](#)

- 9.G. 19-T16 - Ordinance - Legislative - First Reading - AN ORDINANCE RELATING TO SITE PLAN REVIEW AND SITE PLAN WITH DEVIATIONS; AMENDING CHAPTER 46, ADMINISTRATION, PROCEDURES AND ENFORCEMENT, ARTICLE II, ADMINISTRATIVE PROCEDURES, SECTION 46-33, SITE PLAN REVIEW AND SITE PLAN WITH DEVIATIONS, OF THE CODE OF ORDINANCES, CITY OF NAPLES, PURSUANT TO TEXT AMENDMENT 19-T16 TO AMEND THE PROCESS FOR REVIEW OF SITE PLANS AND ELIMINATE THE SITE PLAN WITH DEVIATIONS PROCESS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER PROVISION; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Approve the Ordinance on First Reading and schedule a Second Reading and public hearing for February 19, 2020.

[Agenda Memorandum](#)

[Ordinance](#)

[Summary of Changes](#)

[PAB Report](#)

[Ordinance 08-12280](#)

- 9.H. 19-T12 - Ordinance - First Reading - AN ORDINANCE AMENDING CHAPTER 56, SUPPLEMENTAL STANDARDS, ARTICLE IV, STANDARDS APPLICABLE TO COMMERCIAL DISTRICTS, SECTION 56-126, OUTDOOR DINING, OF THE CODE OF ORDINANCES, CITY OF NAPLES, TO CHANGE THE APPLICATION REQUIREMENTS AND APPROVAL PROCESS FOR OUTDOOR DINING PERMITS; APPROVING TEXT AMENDMENT 19-T12; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER PROVISION; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Approve the Ordinance at First Reading; schedule for Second Reading and Public Hearing February 19, 2020.

[Agenda Memorandum](#)

[Ordinance](#)

[PAB Report](#)

- 9.I. 19-T14 - Ordinance - Second Reading - Legislative - AN ORDINANCE AMENDING CHAPTER 44, GENERAL PROVISIONS, SECTION 44-8 DEFINITIONS, OF THE CODE OF ORDINANCES, CITY OF NAPLES, TO ADD DEFINITIONS FOR CROWN OF ROAD AND GRADE; APPROVING TEXT AMENDMENT 19-T14; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER PROVISION; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Adopt the Ordinance at Second Reading.

[Agenda Memorandum](#)

[Ordinance](#)

[Staff Report](#)

[City Council Workshop Memorandum 11-18-19](#)

Public Comment

Correspondence and Communications

Adjourn