



City of Naples

City Council Chamber
735 Eighth Street South
Naples, Florida 34102

Planning Advisory Board Regular Meeting – September 10, 2025 – 8:30 a.m.

It is noted for the record that: 1) all documentation electronically appended hereto is also contained in the file for this meeting with the City Clerk's Office; 2) added attachments are referenced in red as "Added Attachment"; and 3) Alternate Member Cooper acted as a voting Member for Items 7D, 7E, 10, and 12.

1) Call to Order

Chair Coughlan called the meeting to order.

2) Roll Call

Board Members Present:

Patrick Coughlan, Chair
William Kapler, Vice Chair

Daniel Barone
John Crees
Gregory Fowler
Andrew Mair
Scott Schultz
Garey Cooper, Alternate Member

Board Members Absent:

Amy Lockhart, Non-Voting School Board Rep.

Staff Present:

Erica Martin, Planning Director
Heather Shields, Urban Forest Manager
Kim Nudi, Planner I

Andrew Dickman, Assistant City Attorney
Alison Bickett, Deputy City Engineer
Jeffrey Brammer, Senior Planner-Long Range
Ali Duran, Executive Assistant

Petitioners and/or Agents:

Jenna Heiderman
Tim McCarthy
Mike Morris
Frank Camariato
Christine Fisher
Emily Gvino
Brianna Smith
Norm Trebilcock

Clay Brooker
Alex Garland
Jamal Daoud
Francesca Passidomo
Nick and Lisa Chlumsky
Laura DeJohn
Leigh Anne King
Erin Deady

Others Present:

Penny Taylor

Beth Petrunoff

3) Pledge of Allegiance

Chair Coughlan led the Pledge of Allegiance.

4) Changes to the Agenda

None. Planning Director Erica Martin informed the Board that Item 8A) Update on Naples 2045, the elective changes to the City of Naples Comprehensive Plan, was to be heard at 11:00 a.m.

5) Public Comment

None.

6) Approval of Minutes

MOTION by Schultz to APPROVE the June 11, 2025 meeting minutes; seconded by Crees and unanimously carried, all Members present and voting (Mair-yes, Barone-yes, Crees-yes, Fowler-yes, Kapler-yes, Mair-yes, Schultz-yes, Coughlan-yes).

[2025-0611 pab minutes](#)

7) Public Hearing(s)

7.A) An Ordinance for the Purpose of Amending Regulations Relating to Pier Location and Dimension Regulations in the R1-15A Residence District; Amending Section 56-93(c)(5), Piers and Boat Lifts, Siting and Dimensions, of Article III, Standards Applicable to Residential Districts, of Chapter 56, Supplemental Standards, and Section 58-121, Pier Location and Dimensions, of Chapter 58, Zoning, of the Code of Ordinances, City of Naples; Providing a Severability Clause; Providing a Repealer Provision; and Providing an Effective Date.

Chair Coughlan read the title of the item. Planning Director Erica Martin informed the Board that this item was continued from the May 14, 2025 meeting, requesting more information from the Port Royal Property Owners Association. She then provided a historical overview of the item, noting that the Port Royal Property Owners Association had approached the City with a request to modify Section 56-93(c)(5) and 56-93 of the Naples City Code, which regulates docks within the R1-15A Residential District. She explained that the request was to increase the Shore Normal Dimension from 22 feet from the base of the rip rap to 25 feet, providing more flexibility on boat lift size and dock width. Planning Director Martin further noted that the proposed regulations require that dock configurations must be either no more than 25 percent of the width of the waterway or extend waterward 25 feet, whichever is more restrictive. This language will ensure that vessels can still travel through narrower canals. Planning Director Martin clarified that the staff report was modified since the May 14th meeting, explaining that changes to the length of the docks were removed, and the request was only for the projection.

Clay Brooker, Attorney at Cheffy Passidomo P.A. and representing the Port Royal Property Owners Association, stated that the Association provided all information regarding the survey that was sent to the residents, and a letter from the Association's president was provided to Planning Director Martin for dissemination to the Board. Alex Garland, Owner of Garland and Garland Marine Construction, responded to questions regarding rip rap and the Shore Normal Dimension measurement.

Member Schultz expressed concern that this proposed amendment would constrict the width of the canal, thus making it difficult to navigate the smaller canals. He also commented on the subjective nature of the term "reasonable sized boat". Member Mair expressed concern regarding the structure of the survey provided to the residents and its validity.

Public Comment: None.

MOTION by Coughlan to RECOMMEND APPROVAL of Text Amendment 24-T6; seconded by Barone and carried 5-2 (Mair-no, Barone-yes, Fowler-yes, Schultz-yes, Crees-no, Kapler-yes, Coughlan-yes).

[24-T6 Staff Report](#)

[Ordinance](#)

[Heiderman Email to City Council 6-18-2024 - FW Port Royal Dock Code](#)

[Sec 56-93 -- Piers and boat lifts, siting and dimensions - As Amended CLEAN](#)

[Sec 58-121 -- Pier location and dimensions - As Amended CLEAN](#)

[PRPOA 6.2 Letter to PAB+CC](#)

[2025 PRPOA News Update](#)

[Resident Survey - Summary Data](#)

[Written Survey Comments](#)

[PRPOA Presentation](#)

7.B) A Resolution Determining a Modification to the Plans Approved with Conditional Use Petition 24-CU5, Pursuant to Section 46-34 and Section 58-833 of the Code of Ordinances, City of Naples, Amending Resolution 2024-15421 Which Granted a Conditional Use Approval Allowing a Private Beach Club in the PS, Public Service

District for the Port Royal Club on Property Located at 2900 and 2755 Gordon Drive, More Fully Described Herein; and Providing an Effective Date.

Chair Coughlan read the title of the item. This being a quasi-judicial proceeding, Notary Public Ali Duran administered an oath to those intending to testify; all responded in the affirmative. Members then made the following ex parte disclosures: Cooper, Mair, Barone, Kapler, Coughlan / had no information to disclose; Crees / aware of the property, nothing further to disclose; Schultz / visited the property and had a tour; and Fowler / visited the property.

Tim McCarthy, Partner and Managing Principal at Hart Howerton, utilized an electronic presentation to provide an overview of a modification to the previously approved Resolution 2024-15421 related to Conditional Use Petition 24-CU5. He explained that the proposed modification included increasing the height of the existing seawall to eight feet above the North American Vertical Datum of 1988 (NAVD) to improve resiliency of the Port Royal Beach Club. Other modifications included relocating the accessible pool chair lift, redesigning and rebuilding the entry gate with sliding gates, and increasing the number of underground stormwater retention vaults.

Responding to questions, Mr. McCarthy stated that the dunes and dune vegetation will be restored upon completion of construction, and they will mask most of the seawall without impeding the view of the Beach Club.

Planning Director Erica Martin testified on behalf of the City and provided an overview of the staff report and the conditions contained therein. She stated that staff reviewed the requested amendment against the Conditional Use standards in Section 46-34(f) of the Land Development Code and found that the standards had been met.

Responding to Member Schultz, Planning Director Martin informed the Board that the petitioner was required to have a beach access pathway on the northern end of the property. She stated that the pathway must be accessible to and large enough for emergency personnel with a stretcher.

Deputy City Engineer Alison Bickett responded to questions, noting that the bicycle lane on Gordon Drive transitions to sharrows and should not be affected by the construction. She further explained that if turn lanes are found to be necessary, the City would monitor the installation, but the financial responsibility would belong to the Port Royal Beach Club.

Public Comment: None.

MOTION by Mair to RECOMMEND APPROVAL of Conditional Use Petition 24-CU5, subject to the following condition: the petitioner will ensure that there is monitoring of clear pathways and turn lane markings for cyclists and road use; seconded by Schultz and unanimously carried, all Members present and voting (Barone-yes, Mair-yes, Kapler-yes, Fowler-yes, Schultz-yes, Crees-yes, Coughlan-yes).

[Staff Report](#)

[Resolution](#)

[Application](#)

[Disclosure of Interest - Port Royal Club](#)

[Deeds](#)

[Survey - 2900 Gordon Drive](#)

[Survey - 2755 Gordon Drive](#)

[Overview of Proposed Changes](#)

[Site Plan - Proposed Revision](#)

[Resolution 2024-15421](#)

[Credentials - Petitioner](#)

[Credentials - Planning Department](#)

[Public Notice Mailing Addresses](#)

[Sign Posting Affidavit](#)

7B - Presentation (Petitioner Added Attachment)

7.C) A Resolution Determining Petition 25-V4, Relating to a Variance Pursuant to Section 46-37 of the Code of Ordinances, City of Naples, to Allow a Driveway to Encroach Twenty-Six (26) Feet Six (6) Inches into the Minimum Fifty (50) Foot Required Setback From the Intersection of Extended Street Curb Lines Pursuant to Section 50-131 of the Code of Ordinances, City of Naples, for the Property Owned by Forest Ave. Properties, LLC, and Located at 1209 Forest Avenue, More Fully Described Herein; and Providing an Effective Date.

Chair Coughlan read the title of the item. This being a quasi-judicial proceeding, Notary Public Ali Duran administered an oath to those intending to testify; all responded in the affirmative. Members then made the following ex parte disclosures: Cooper, Mair, Barone, Kapler, and Coughlan / had no information to disclose; Crees and Schultz / aware of the property and nothing further to disclose; and Fowler / toured the neighborhood surrounding the property and viewed the property from his car.

Jamal Daoud, Managing Member of Forest Ave. Properties, LLC, utilized an electronic presentation to provide an overview of the variance request, allowing the encroachment of a driveway 26.5 feet into the minimum 50-foot intersection setback. Mr. Daoud provided examples of other residences in the direct vicinity that do not meet the 50-foot intersection setback. He expressed the view that the driveway would not pose a safety concern due to the low traffic volume in the area, and the driveway was being designed around a large City Ficus tree in the right-of-way.

Planner I Kimberly Nudi testified on behalf of the City and provided an overview of the staff report and the conditions contained therein. She provided a historical overview of the property, noting that the lot was originally a separate lot but was combined with a neighboring property. Utilizing a Minor Subdivision Petition in 2019, the large lot was split into two again, reflecting the original Plat Map. Planner Nudi explained that 309 letters were mailed to neighboring property owners, and one email was received in response, offering support of the request contingent upon retention of the existing trees. She stated that staff reviewed the petition against the variance criteria in Section 46-37(c) of the Naples City Code and found that the case meets threshold criteria 1) Literal interpretation of the code would cause an unnecessary or unreasonable hardship, or would deprive the applicant of the reasonable use of the property; 2) The variance will be otherwise consistent and in harmony with the general intent and purpose of the comprehensive plan, the land development code, and adjacent properties' zoning; 3) The variance does not permit the establishment or enlargement of any use or structure devoted to a use that is not permitted by right in the district in which the variance is requested; 4) The variance will not harm the health, safety, and welfare of the community; 5) The applicant has taken all reasonable steps to mitigate, relocate, or redesign the structure so that a variance would be unnecessary; 6) The variance will be compatible in character and scale and will not be injurious to the neighborhood and surrounding properties; and 7) The plight of the applicant is due to unique circumstances not created by the applicant; and meets additional criteria 1) The city council will determine whether or not the applicant is culpable for the actions of its agent or predecessors in title; 2) The proposed variance is the minimum necessary to make possible reasonable use of the land, building, or structure, and is the most practical or logical solution to the need for relaxation of the literal requirements of this Land Development Code; 3) Special conditions or circumstances exist that are peculiar to the land or structure involved, which do not apply to other lands or structures in the same neighborhood or district; and 5) The variance will promote or preserve natural resources and the natural environment.

Public Comment: Penny Taylor stated that the roots of the Ficus tree were growing in the direction of the proposed driveway and expressed concern that the tree would be negatively affected. She also identified sewer infrastructure that may be negatively impacted. Ms. Taylor said the Lake Park neighborhood had lost many trees due to new construction and asked the Board to consider that during deliberations.

Responding to questions, Urban Forest Manager Heather Shields stated she collaborated with the owner, the landscape team, and other City Departments to create the best outcome for all parties. She stated that the tree may decline somewhat from the root cutting that will be necessary but expressed the view that the impact would not kill it. Mr. Daoud explained that the driveway will go around the roots as best it can, and the landscaper will be adding dirt to bury the roots.

Deputy City Engineer Alison Bickett confirmed that there was a stop sign on Forest Avenue at the intersection with 9th Avenue North.

Member Barone asked about the proposed crushed shell driveway, and Mr. Daoud stated that it had been changed to a paver driveway. Member Kapler suggested using pervious pavers and that the landscaper not install hedges to obstruct the view of the driveway or the street. Mr. Daoud responded, stating there was no intention of placing any landscape that would reduce the safety of the intersection.

MOTION by Mair to RECOMMEND APPROVAL of Variance Petition 25-V4, subject to the following condition: pervious materials are to be utilized for the driveway where possible; seconded by Schultz and unanimously carried, all Members present and voting (Kapler-yes, Fowler-yes, Barone-yes, Schultz-yes, Mair-yes, Crees-yes, Coughlan-yes).

[Staff Report](#)

[Resolution](#)

[Application](#)

[Disclosure of Interest](#)

[Survey](#)

[Architectural Plans](#)

[Driveway Site Plan](#)

[Credentials - Staff](#)

[Public Notice Mailing Addresses](#)

[Affidavit of Sign Posting](#)

[Correspondence](#)

[7C - Presentation \(Petitioner Added Attachment\)](#)

7.D) A Resolution Determining Conditional Use Petition 25-CU3 Pursuant to Sections 46-34 and 58-533 of the Code of Ordinances, City of Naples, to Allow for a Residential Dwelling Unit in the C1 Retail Shopping District on Property Owned by Chlumsky -- DAKY, LLC, and Located at 1199 Third Street South, Suite A, More Fully Described Herein; Providing for Scrivener's Errors; and Providing an Effective Date.

Chair Coughlan read the title of the item. This being a quasi-judicial proceeding, Notary Public Ali Duran administered an oath to those intending to testify; all responded in the affirmative. Members then made the following ex parte disclosures: Cooper / had a conversation with Barbara Walker and drove by the property; Mair, Kapler, Coughlan / had no information to disclose; and Crees and Schultz / were aware of the property and had nothing further to disclose; Fowler / looked at the property carefully and had nothing further to disclose. Member Barone informed the Board that he needed to recuse himself from this hearing due to business relationships within the neighborhood. A Form 8B Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officials form was provided to Member Barone.

Francesca Passidomo, Attorney at CYK Law Firm, introduced Frank Comeriato, Architect at Dyehouse Comeriato Architect, and owners Nick and Lisa Chlumsky. She then utilized an electronic presentation to provide an overview of a Conditional Use Petition, requesting a residential unit be constructed in the C1 Retail Shopping District located at 1199 3rd Street South. Attorney Passidomo explained that the current space houses seven office suites on the second floor, and the request was to convert the entire second floor to one residential dwelling. Nick and Lisa Chlumsky provided a brief historical background of their family's ties to the City and to the building, further noting that they planned to make this their primary residence.

Senior Planner-Long Range Jeffrey Brammer testified on behalf of the City and provided an overview of the staff report and the conditions contained therein. He noted that the circa 1963 building was subject to code provisions exempting second-story uses from parking requirements and granting a six-space corner-lot credit, leaving only two spaces required. Senior Planner Brammer noted that currently, this building would require 22 parking spaces: 11 for the first-floor commercial units and 11 for the second-floor offices. Should this petition be approved, the non-conformity will be reduced by nine spaces as the residential unit will require only two parking spaces. He stated that staff mailed out 534 letters to neighboring property owners and received four letters in support and one letter of objection. Senior Planner Brammer stated that staff reviewed the Conditional Use Petition against the standards in Section 46-34(f) of the Land Development Code and found that the standards had been met.

Public Comment: None.

Responding to questions regarding the parking, Attorney Passidomo stated that deintensification would not affect the grandfathered non-conformity, as it runs with the land, and did not expect any practical parking demands for the dwelling unit. Assistant City Attorney Andrew Dickman stated that the use change eliminates the non-conformity, requiring compliance with the Naples City Code, and further noted that the term “reduction of non-conformity” was being misused. Chair Coughlan asked if two parking spaces at an off-site location could be allocated to the dwelling unit. Attorney Passidomo stated that all parking spaces at other locations were already allocated.

Discussion ensued regarding the potential use of the residential unit as a transient rental. Assistant City Attorney Dickman suggested adding a condition specifying that the unit not be used as a short-term rental, and Attorney Passidomo stated that the petitioner had no objection to this condition. She also noted that should the property be sold in the future, the Chlumsksys agreed to disclose to the buyer that the unit is in a lively, mixed-use area.

Members discussed the letter of objection and the reasons presented. Chair Coughlan suggested using hurricane windows to reduce the effect of noise.

MOTION by Coughlan to RECOMMEND APPROVAL of Conditional Use Petition 25-CU3, subject to the following conditions: 1) The residential unit will not be used as a transient rental; 2) High-standard hurricane glass will be installed in the windows for noise attenuation generally; and 3) The petitioner will sign an acknowledgement understanding that this is a high activity area with regular noise level changes; seconded by Kapler and failed 2-5-1 (Schultz-no, Crees-no, Barone-abstain, Fowler-no, Kapler-yes, Cooper-no, Mair-no, Coughlan-yes).

MOTION by Mair to RECOMMEND DENIAL of Conditional Use Petition 25-CU3 due to lack of parking; seconded by Crees.

Attorney Passidomo expressed the view that the parking allocation was required, and the petitioner agreed to provide parking off-site. Member Mair then amended his motion, and Member Crees concurred with the amendment.

MOTION by Mair to RECOMMEND APPROVAL of Conditional Use Petition 25-CU3, subject to the following conditions: 1) The residential unit will not be used as a transient rental; 2) High-standard hurricane glass will be installed in the windows for noise attenuation generally; 3) The petitioners are to sign an acknowledgement understanding that this is a high activity area with regular noise level changes; and 4) Two parking spaces will be allocated off-site for the residential unit; seconded by Crees and carried 5-2-1 (Mair-yes, Barone-abstain, Cooper-no, Fowler-yes, Schultz-no, Crees-yes, Kapler-yes, Coughlan-yes).

[Application](#)

[Disclosure of Interest - Property Owner](#)

[Warranty Deed](#)

[Survey](#)

[Aerial](#)

[Architectural Plans - Existing](#)

[Architectural Plans - Proposed](#)

[Permit History](#)

[Architect Letter](#)

[Credentials - Staff](#)

[Public Notice Mailing Addresses](#)

[Affidavit of Sign Posting](#)

[Correspondence](#)

[7D - Presentation \(Petitioner **Added Attachment**\)](#)

[7D - Form 8B Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers \(Barone **Added Attachment**\)](#)

[7D - Correspondence \(Staff **Added Attachment**\)](#)

8) Comprehensive Plan Update

Update on Naples 2045, the elective changes to the City of Naples Comprehensive

8.A) Plan. (TIME CERTAIN 11:00 A.M.)

Planning Director Erica Martin introduced the item and informed the Board that Johnson Engineering was selected to oversee the Comprehensive Plan Update. She explained that Johnson Engineering will be supervising a team of consultants that will be involved with the Update, and the full team was present to provide a progress report to the Board and solicit feedback.

Christine Fisher, Principal at Johnson Engineering, presented a brief overview of the company and introduced the team: Laura DeJohn, Director of Planning and Landscape Architecture at Johnson Engineering; Emily Gvino, Senior Associate at Clarion Associates; Leigh Anne King, Director at Clarion Associates; Brianna Smith, Public Information Officer at CMA Outreach; and Erin Deady, Attorney at Deady Law.

Ms. Fisher then utilized an electronic presentation to provide an overview of the purpose of the Update, the components of the Public Involvement Plan (PIP), the project schedule, a progress update, and the Board's participation and involvement.

Member Crees expressed concern that the phase two public outreach would occur in November, noting that residents may not be back in town for the season yet. He suggested moving the first public outreach to January 2026. Ms. Fisher informed the Board that if the meeting is moved, then the entire schedule would need to be pushed back, making completion of Naples 2045 past the contracted end date of December 2026. She explained that residents will be invited to participate in other ways, such as responding to surveys, and referred residents to the project website, noting that residents can sign up to receive emails.

Discussion ensued, and the Board suggested: 1) moving the first public engagement meeting to early January 2026, the second meeting to mid-February and a third meeting to the end of March; 2) making the website as user-friendly as possible, with consideration to the median age of the community; 3) recording the public engagement meetings and airing them on the website; 4) ensuring that all Home Owner Association (HOA) Presidents are provided information, acknowledging that the President's Council is not inclusive of all HOAs; 5) ensuring measures are taken to prevent special interest groups from influencing the public engagement meetings; and 6) sending the survey three times and ensuring the responses are from residents and are being tracked; 7) creating traffic studies that are wholistic and broad based, and reviewing traffic patterns in the City as well as the County; 8) incorporating resiliency; 9) using Sponge City principles in the land use planning; and 10) creating a separate Element for Resiliency.

Public Comment: Council Member Beth Petrunoff thanked the Members for their hard work. She explained that the Board's involvement in the Comprehensive Plan was critical to the process and that the City Council would rely heavily on its input. Council Member Petrunoff stated that the primary customers are the residents first, then the businesses. To ensure that the City obtains accurate contact information without duplication, she suggested purchasing a resident contact list. She also asked the Board to consider whether responses should be one or two members per household, noting the possibility of varying opinions within the family unit. Responding to comments, Council Member Petrunoff noted that some neighborhoods do not have a formal HOA and are not represented at the President's Council, while some HOAs choose not to send a representative. She requested samples of surveys that Johnson Engineering completed in other cities, including what questions were asked. In addition, she questioned how they can ensure the responses are from residents, as well as what steps can be taken to ensure there are no duplicates.

Chair Coughlan asked Member Mair to work with staff to review the survey questions before being sent out to the residents. Member Mair provided a brief overview of how to conduct surveys and provided two artificial intelligence tools that may assist. He also suggested using a strap line at the bottom of the utility bills, invoices, and/or notifications to encourage engagement. Member Fowler asked that all Members receive the survey questions to review before they are made public.

Planning Director Martin referred Members to various documents included in the Agenda Packet and asked that any comments or suggestions be sent to her.

[Staff Memorandum](#)

[Naples 2045 Update](#)

[Naples 2045 Comprehensive Plan Evaluation - Staff Review DRAFT](#)

[Naples 2045 Crosswalk of Naples Resilience Planning](#)

[Naples 2045 Current Conditions Report - Staff Review DRAFT](#)

[Naples 2045 Model Plan Summary Matrix](#)

[Naples 2045 Public Engagement Schedule](#)

[Naples 2045 Public Involvement Plan](#)

[8A - Presentation \(Staff Added Attachment\)](#)

Recess from 12:08 p.m. to 12:36 p.m. It is noted for the record that the same Board Members were present when the meeting reconvened.

7.E) A Resolution Determining Conditional Use Petition 25-CU6 Pursuant to Section 46-34 of the Code of Ordinances Allowing Off-Site Parking Within 600 Feet Pursuant to Section 50-102(b)(2) of the Code of Ordinances, City of Naples, and Approving a Parking Needs Analysis Pursuant to Section 50-107 of the Code of Ordinances, City of Naples, for the Properties Located at 1148 3rd Street South and 375 Broad Avenue South, More Fully Described Herein; and Providing an Effective Date.

Chair Coughlan read the title of the item. This being a quasi-judicial proceeding, Notary Public Ali Duran administered an oath to those intending to testify; all responded in the affirmative. Members then made the following ex parte disclosures: Mair, Kapler, Coughlan / had no information to disclose; Crees and Schultz / aware of the property and had nothing further to disclose; and Fowler / walked the property during the day and in the evening. Member Barone informed the Board that he needed to recuse himself from this hearing due to business relationships within the neighborhood. A Form 8B Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officials form was provided to Member Barone.

Clay Brooker, Attorney at Cheffy Passidomo P.A., utilized an electronic presentation to provide an overview of a request to allow seven off-site parking spaces in connection with an outdoor dining petition and recommend approval of the associated Parking Needs Analysis for the parking lot located at 375 Broad Avenue South. He informed the Board that City Council would consider the outdoor dining petition on October 15, 2025, and that it was not part of the current discussion. He presented a historical overview of the building and project, noting a 2018 judge's ruling that deemed the Olde Naples Building a lawful nonconformity and permitted it to operate with a 76-

space parking deficit. He further noted ongoing litigation following the City's denial of a 2023 outdoor dining petition for lack of parking but commented that staff and several Council Members had suggested pursuing alternatives such as off-site parking. He stated that the proposed seven parking spaces would be located in an art gallery parking lot with 15 total spaces, of which 13 are required for the gallery's use.

Norman Trebilcock, Traffic Engineer with Trebilcock Consulting, stated that he served as the consultant for the Parking Needs Analysis. He continued the electronic presentation, outlining the analysis and its findings. He noted that while the number of allocated spaces did not meet the requirements of the Naples City Code, the lot would provide sufficient parking to accommodate the outdoor dining and the art gallery, as the gallery's daily use was estimated at a maximum of seven spaces. He provided remedies to add to the Parking Needs Analysis that included parking lot controls such as gates and/or monitoring, employee shuttling, researching alternate properties for space, and maintaining tenants with lower parking demands.

Planning Director Erica Martin testified on behalf of the City and provided an overview of the staff report and the conditions contained therein. She explained that although the revised petition for outdoor dining reduced the square footage, the number of tables and chairs remained the same. She stated that 635 letters were mailed to neighboring property owners, and one email was received, opposing this request. Planning Director Martin stated that the Conditional Use Petition was reviewed against the standards outlined in Section 46-34(f) of the Land Development Code and found that the standards had been met pursuant to compliance with the proposed staff conditions.

Members discussed concerns regarding the loss of available parking spaces during overlapping operating hours of the restaurant and art gallery, the potential impacts of increased evening traffic on the surrounding residential neighborhood, inadequate lighting in the walkway and parking lot, and the absence of wayfinding to the parking area. Attorney Brooker agreed to a condition to ensure the areas used had adequate lighting.

Member Fowler argued that the parking lot had only 14 parking spaces, identifying one space as very narrow, which could not accommodate a vehicle. Attorney Brooker stated that they would review the lot.

Public Comment: None.

MOTION by Mair to RECOMMEND DENIAL of Conditional Use Petition 25-CU6 due to failing to provide enough parking spaces as required by the Parking Needs Analysis and Naples City Code; seconded by Crees and carried 4-3-1 (Barone-abstain, Mair-yes, Kapler-yes, Fowler-no, Cooper-no, Schultz-yes, Crees-yes, Coughlan-no).

[Staff Report](#)

[Resolution](#)

[Application](#)

[Deeds](#)

[Disclosures of Interest](#)

[Aerial Combined](#)

[375 Broad - Parking Exhibit Site Plan](#)

[Life Safety Plan Site Plan - Olde Naples Building](#)

[Parking Needs Analysis - Olde Naples Building](#)

[Credentials - Petitioner](#)

[Credentials - Planning Department](#)

[Public Notice Mailing Addresses](#)

[Sign Posting Affidavit](#)

[7E - Presentation \(Petitioner Added Attachment\)](#)

[7E - Form 8B Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers \(Barone Added Attachment\)](#)

[7E - Correspondence \(Staff Added Attachment\)](#)

9) Traffic Study Update

Planning Director Erica Martin referred to the informational memo in the Agenda Packet. Members had no questions.

[Traffic Study Staff Memorandum](#)

It is noted for the record that Member Kapler left at 1:45 p.m. and did not return.

10) Discussion Items

10.A) Discussion Related to Planning Petition Fees.

Planning Director Erica Martin explained that this item originated from concerns expressed by Member Schultz at the June 11, 2025, meeting, and he had asked that it be placed on the agenda for discussion.

To simplify the Planning Petition Fee structure, Member Schultz suggested that the City establish a two-tier system consisting of a direct water access tier and a landlocked tier, with the fee percentage determined by the State Equalized Value (SEV) of the structural improvements. Member Schultz stated that if the City reconsidered its approach to financing growth, nonresidents and developers could pay one lump sum fee, in place of the à la carte fee structure currently used. He expressed the view that this could fund infrastructure and resiliency projects.

Chair Coughlan informed the Board that in March 2025, Ordinance 2025-15576 was approved, amending the fee structure and nearly doubling the previous fees. He suggested adding a fee to be used toward the purchase and/or development of workforce housing.

Assistant City Attorney Andrew Dickman explained that permit fees must be necessary and reasonable, reflecting the actual work performed by staff, and cannot serve as a revenue source. He stated that the law regulating impact fees is a dual rational nexus test, the fees must be proportional, and the benefits must be connected to the actual development. Assistant City Attorney Dickman stated that fees collected to improve infrastructure and utilities would be considered an impact fee, not an application fee.

Member Mair provided information regarding Building Information Modeling (BIM) that provides a multi-dimensional, information-rich digital representation of structures to improve design, construction, and operational processes. He stated that this type of Modeling could provide the City with the structures that are currently in place, the structures that are permitted but not yet built, and the proposed but not approved structures. Chair Coughlan asked Member Mair to provide information regarding the BIM to Planning Director Martin for dissemination to the Board.

Following a brief discussion, Member Schultz made a motion to recommend creating a subcommittee to review the City's planning petition and operational fees.

Chair Coughlan suggested an amendment to add language to the effect that the subcommittee be comprised of experts as well as residents but also mentioned the possibility of having a member from each Board and Committee serve as a Member. Member Schultz accepted the amendment, and the following motion was proffered.

MOTION by Schultz to RECOMMEND forming a subcommittee of interested parties within the City that currently serve on a board or committee and/or designees of City Council, to explore the opportunities and options regarding the restructuring of the City's operational fees to enhance the City's position and provide adequate services for the existing residents; seconded by Coughlan and carried 7-0 (Barone-yes, Cooper-yes, Crees-yes, Fowler-yes, Kapler-absent, Mair-yes, Schultz-yes, Coughlan-yes).

[Planning Petition Fees Discussion - Staff Memorandum](#)

[Ordinance - City Council - 2025-15576](#)

[2025 Budget Department Fee and Revenue Projection](#)

[Doral Fee Schedule](#)

[Collier County Fee Schedule 1242024](#)

[Lee County External Fee Manual](#)

[Marco Island Growth Management Fee Schedule](#)

[Town of Palm Beach Master Fee Schedule](#)

11) Public Comment

None.

12) Correspondence and Communication

Regarding the Naples 2045 Comprehensive Plan Project, Member Mair suggested making sure that the definition of a Comprehensive Plan is clear and broken down into a simple format for easy understanding. Member Fowler recommended that Johnson Engineering use a Building Information Model (BIM) to assist with the Comprehensive Plan update.

Member Fowler referred to an item at a City Council meeting on September 3, 2025, where there was a presentation regarding the approval process for the Airport Utilization Plan and Site Plan for the C4 – Airport Commercial District was discussed. He stated that the proposed changes to Section 58-683(b) of the Naples City Code omitted the Planning Advisory Board's review and recommendation of the Airport Utilization Plan, and he expressed the view that the Board's involvement was imperative as the City's Comprehensive Planning body and designated Planning Board. The following motion was then proffered.

MOTION by Fowler to RECOMMEND including the Planning Advisory Board in the review of the Airport Utilization Plan; seconded by Mair and carried 7-0 (Barone-yes, Cooper-yes, Crees-yes, Fowler-yes, Kapler-absent, Mair-yes, Schultz-yes, Coughlan-yes).

13) Adjourn

2:03 p.m.

Patrick Coughlan, Chair

Patricia L. Rambosk, City Clerk

Minutes prepared by:

Ali Duran, Executive Assistant

Minutes Approved: 10/08/2025.