



City of Naples

City Council Chamber
735 Eighth Street South
Naples, Florida 34102

Planning Advisory Board Regular Meeting – October 8, 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) experts who testified during quasi-judicial hearings were accepted as qualified to do so in their respective fields of expertise; and 3) added attachments are referenced in red as "Added Attachment".

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:

Andrew Dickman, Assistant City Attorney
Bruce Selfon, Assistant City Attorney-
Special Projects Manager
Kimberly Nudi, Planner I

Erica Martin, Planning Director
Jeffrey Brammer, Senior Planner-Long Range
Ali Duran, Executive Assistant

Petitioners and/or Agents:

Bernadette Watkins
Hiram Siaba
Burt Saunders
Peter Kulicki
Christine Fisher
Brianna Smith

Luis Lairet
Kristin Frooshani
Harry Zea
Laura DeJohn
Leigh Anne King
Erin Deady

3) Pledge of Allegiance

Chair Coughlan led the Pledge of Allegiance.

4) Changes to the Agenda

None.

5) Public Comment

None.

6) Approval of Minutes

Member Fowler noted that his disclosure was credited to Vice Chair Kapler for Item 7.D. He also questioned the legitimacy of the term "sharrows" written in Item 7B. Executive Assistant Ali Duran confirmed that "sharrow" was the term that Deputy City Engineer Alison Bickett used to describe the shared bicycle/vehicle lane on Gordon Drive on that day.

MOTION by Crees to APPROVE the September 10, 2025 meeting minutes, subject to changing the second “Kapler” to “Fowler” in the disclosure portion of Item 7.D; seconded by Schultz and unanimously carried, all Members present and voting (Barone-yes, Crees-yes, Fowler-yes, Kapler-yes, Mair-yes, Schultz-yes, Coughlan-yes).

[2025-0910 pab minutes](#)

7) Public Hearing(s)

7.A) A Resolution Determining Nonconformity Petition 25-N4 Pursuant to Section 46-35 of the Code of Ordinances, City of Naples, to Allow for the Vertical and Horizontal Expansion of a Nonconforming Single-Family House on Property Located in the R1-15A Residence District at 2575 Half Moon Walk, Owned by Bernadette D.S. Watkins, More Fully Described Herein; Providing Findings and Conditions; 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 all those intending to testify; all responded in the affirmative. Members then made the following ex parte disclosures: Cooper, Barone, Kapler, Coughlan / had no information to disclose; Mair / read the correspondence provided on that day, and had no further information to disclose; Crees / aware of the property, read the correspondence provided on that day, and had no further information to disclose; Schultz / walked the property and read the correspondence provided on that day; and Fowler / viewed the property, read the correspondence provided on that day and had no further information to disclose.

Hiram Siaba, Chief Operations Officer at US Building Group, introduced the request to raise the residence from its current elevation at 4.01 North American Vertical Datum of 1988 (NAVD) to 9.33 NAVD. He stated that the structure will remain in the same footprint, and steps will be added to permit access to the residence. Luis Lairet, Owner of US Building Group, confirmed that there were multiple structures on the property, but only the residence will be elevated at this time.

Planner I Kimberly Nudi testified on behalf of the City and provided an overview of the staff report and the conditions contained therein. She explained that the residence was constructed in 1952 in accordance with the City of Naples Zoning Ordinance of 1946, which required a minimum side yard setback of seven feet six inches. She added that the setback requirement had since increased to 12.5 feet, resulting in the residence being classified as a legal nonconformity. She stated that 104 letters were mailed to neighboring property owners, and two emails were received in opposition to the petition. Planner Nudi informed the Board that staff reviewed the petition against the criteria in Section 46-35(c) of the Land Development Code and found that the criteria had been met.

Responding to questions, Planner Nudi identified the nonconforming areas as the northwest corner of the residence encroaching four feet six inches into the side yard setback, and the existing mechanical equipment on the north side encroaching into the side yard setback by six feet five inches.

Member Mair suggested relocating the mechanical equipment to the south side of the residence to mitigate the encroachment. Mr. Siaba agreed to investigate that possibility. Member Kapler suggested moving the residence five feet southward to reduce the encroachment, but Mr. Siaba stated that it would be very costly.

Discussion ensued regarding the proposed height increase. Planning Director Erica Martin stated that this residence will be 15 feet 9 inches over the design flood elevation, and that the City Code allowed for a maximum height of 30 feet over the design flood elevation. The Board agreed to allow the petitioner to raise the property higher than requested and discussed appropriate increases.

Public Comment: None.

MOTION by Mair to RECOMMEND APPROVAL, subject to the following conditions: 1) the petitioner may consider raising the house to a higher

height but not to exceed what is permitted by the Naples City Code; and 2) to relocate the air conditioning unit so it does not encroach in the setback; seconded by Fowler and carried 5-2 (Schultz-no, Crees-yes, Fowler-yes, Barone-yes, Kapler-no, Mair-yes, Coughlan-yes).

[Staff Report](#)

[Resolution](#)

[Application](#)

[Disclosure of Interest](#)

[Survey](#)

[Architectural Plans](#)

[Site Plan](#)

[Credentials - Petitioner](#)

[Credentials - Staff](#)

[Public Notice Mailing Addresses](#)

[Noticing Statement 25-N4](#)

[Affidavit of Sign Posting](#)

[Correspondence \(Staff Added Attachment\)](#)

7.B) A Resolution Determining Conditional Use Petition 25-CU5 Pursuant to Sections 46-34, 58-503, and 50-107 of the Code of Ordinances, City of Naples, to Allow for a Cocktail Lounge in a Planned Development with Highway Commercial Zoning and to Approve an Associated Parking Needs Analysis on Property Owned by Weston Associates, LLC., and Located at 4089 Tamiami Trail North, A104; More Fully Described Herein; Providing for Findings and Conditions; Providing for Scrivener's Errors; and Providing an Effective Date.

Planning Director Erica Martin stated that the petitioner requested that the Item be continued until the December 11, 2025 Planning Advisory Board meeting.

MOTION by Crees to CONTINUE Item 7.B until the December 11, 2025 meeting; seconded by Schultz and unanimously carried, all Members present and voting (Fowler-yes, Kapler-yes, Schultz-yes, Barone-yes, Crees-yes, Mair-yes, Coughlan-yes).

[25-CU5 Continuance Memo](#)

7.C) A Resolution Determining Variance Petition 25-V5 Pursuant to Sections 46-37, 56-41, 56-45, and 56-54 of the Code of Ordinances, City of Naples, to Allow a Variance for an Encroachment into the Front Yard Setback for the Purpose of Installing a Swimming Pool, Pool Deck, and Pool Mechanical Equipment on Property Owned by Kristin Frooshani and Jason Frooshani and Located at 1275 8th Avenue North; More fully Described Herein; Providing Findings and Conditions; 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 all those intending to testify; all responded in the affirmative. Members then made the following ex parte disclosures: Cooper, Barone, Kapler, and Coughlan / had no information to disclose; Mair/ aware of the property and had nothing further to disclose; Crees / aware of the property, read the agenda packet documents, and had nothing further to disclose; Schultz / walked the property and had nothing further to disclose; and Fowler / viewed the property and had nothing further to disclose.

Kristin Frooshani, Owner of the property, utilized an electronic presentation to provide an overview of a variance request to allow a swimming pool, pool deck, fence, landscape, and mechanical equipment to encroach into the front yard setback at her residence located at 1275 8th Avenue North. She explained that her corner lot has three front yards and one side yard, making it difficult to adhere to the setback requirements. Ms. Frooshani informed the Board that the residence is an existing nonconformity, as it encroaches into the southern and eastern setbacks.

Senior Planner-Long Range Jeffrey Brammer testified on behalf of the City and utilized an electronic presentation to provide an overview of the staff report and the conditions contained therein. He confirmed that the property had multiple frontages, that the residence was a legal nonconformity, and that one front yard was reduced as allowed by code, to accommodate a two-

story garage that was added in 1996. Senior Planner Brammer explained that the request would locate the pool consistent with the existing house setback encroachment to the east and the north. He stated that staff applied the variance criteria set forth in Section 46-37(c) of the Land Development Code and found that the request for a pool, pool deck, and pool equipment met the following 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.
7. The plight of the applicant is due to unique circumstances not created by the applicant. For purposes of this provision the applicant is not considered to stand in the shoes of their predecessors in interest.

The petition met the following additional criteria, noting that criteria four and five were not applicable:

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 are not applicable to other lands or structures in the same neighborhood or district.

A motion to recommend denial of Variance petition 25-V5 was made by Member Mair and seconded by Member Crees. During the discussion, Members suggested moving the pool equipment to the west side of the house so it wouldn't encroach into the setback. Members also expressed concern for the health of a City tree in the public right-of-way, but Planning Director Erica Martin confirmed that City Arborist and Urban Forest Manager Heather Shields reviewed the project and did not find a conflict between this project and any of the City trees. Chair Coughlan determined that the City tree was not in the purview of the Board, and a condition could be added to move the pool equipment. Member Crees withdrew his second, and Member Schultz seconded the original motion.

MOTION by Mair to RECOMMEND DENIAL of Variance Petition 25-V5; seconded by Schultz and FAILED 2-5 (Fowler-no, Mair-yes, Schultz-Yes, Kapler-no, Barone-no, Crees-no, Coughlan-no).

A Motion to recommend approval was made by Chair Coughlan, subject to the pool equipment being installed at a different location so that it does not encroach into the setback. Member Mair then requested to amend the motion to include the staff conditions, and Chair Coughlan agreed to the amendment.

MOTION by Coughlan to RECOMMEND APPROVAL of Variance Petition 25-V5, subject to: 1) staff conditions; and 2) adding the condition that the pool equipment be moved to an alternate location where it would not encroach into the setback; seconded by Fowler and carried 6-1 (Barone-yes, Fowler-yes, Schultz-yes, Crees-yes, Mair-no, Kapler-yes, Coughlan-yes).

[Resolution](#)

[Application](#)

[Disclosure of Interest - Property Owner](#)

[Warranty Deed](#)

[Survey](#)

[Aerial](#)

[Site Plan](#)

[3D Rendering 1](#)

[3D Rendering 2](#)

[Pool Builders Literature](#)

[Pool Specifications](#)

[Proposed elevations](#)

[Zoning Letter - 2015](#)

[Credentials - Staff](#)

[Public Notice Mailing Addresses](#)

[Public Noticing Statement](#)

[Affidavit of Sign Posting](#)

[Presentation \(Petitioner Added Attachment\)](#)

7.D) A Resolution Determining Appeal of an Administrative Decision Petition 25-AA2, Relating to an Appeal Pursuant to Section 2-84 of the Code of Ordinances of the City of Naples to Challenge a Staff Determination Regarding the Classification of a Proposed Project as a Marina, as Defined in Section 44-8 of the Code of Ordinances, City of Naples, and to a Staff Determination That Underground Parking Cannot be Administratively Approved, Pursuant to a Motion Approved by City Council on September 20, 2023 for the Property Owned by Viceroy Naples, LLC, Located at 599 River Point 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 all those intending to testify; all responded in the affirmative. Members then made the following ex parte disclosures: Cooper, Barone, Kapler, and Coughlan / had no information to disclose; Mair / very familiar with the property and had nothing further to disclose; Crees and Schultz / familiar with the property, read the materials provided, and had nothing further to disclose; Fowler / walked the property and had nothing further to disclose.

Assistant City Attorney Andrew Dickman clarified that the underground parking issue was not an administrative appeal for the Board and will go directly to the City Council for consideration.

Burt Saunders, Attorney at GrayRobinson, PA, introduced the team present: Harry Zea, Owner and Developer; and Wojciech Peter Kulicki, Architect at PK Studios. He stated that the appeal regarded a decision made by staff regarding the Viceroy Project, where a prior City Attorney determined that the project did not constitute a marina. He noted that properties designated as marinas can have lot coverages not to exceed 50 percent. He added that due to an administrative decision, this Project would need to conform to a maximum lot coverage of 40 percent. Attorney Saunders asserted that a portion of the property qualified as a marina, referencing the staff report, which identified the lot coverage as 4,200 square feet of marina uses and 30,695 square feet of non-marina uses, with the marina uses consisting of a marina store and 12 boat slips, two of which will be for public use. He then clarified that the original application proposed 44.3 percent lot coverage, but after recalculating, the correct lot coverage will be approximately 41 percent.

Mr. Zea then utilized an electronic presentation to provide an overview of the proposed project located at 599 River Point Drive. Responding to questions, he stated that the units will be privately owned transient lodging units. He added that each unit will include a boat slip that could be rented separately.

Planning Director Erica Martin explained that staff issued a Request for Additional Information (RAI), not a decision of rejection or approval for the project. She said that the RAI was issued because staff did not have enough information to determine whether the project could be classified as a marina. Assistant City Attorney Dickman noted that a legal opinion from a prior

City Attorney determined that the project could not be classified as a marina and expressed concern that this conclusion had led to confusion. He further observed that the City's Code of Ordinances provides limited guidance regarding marinas.

Regarding Members' concerns about the change in lot coverage, Attorney Saunders stated that the building proportions had not changed, but that the original figures were miscalculated when considering the unit balconies.

Architect Kulicki continued the electronic presentation to provide an overview of the floor layouts, the definition of a marina, and the setbacks. He noted that the marina pool did encroach into the 25-foot setback and confirmed that any watercraft repair and maintenance will be off-site, but initial diagnostics will be on-site. Architect Kulicki responded to questions regarding the mention of a Yacht Club, noting that the 4,200 square feet on the ground floor was for the ship store, a lounge, and bathroom facilities for residents, unit renters, and boat slip renters.

Planning Director Martin testified on behalf of the City and provided an overview of the staff report, noting that the appeal is related to a comment included in the RAI letter. She provided a brief history of the project, noting that the project had been in the site plan review process since 2022. She highlighted ambiguity between the plans provided to staff and the presentation provided to the Board; namely, size differences of the ship store and space dedications.

Discussion followed regarding whether portions of the project met the definition of a marina. City Attorney Dickman advised that if any portion of the property were determined to qualify as a marina under the Naples City Code, staff could re-evaluate the project accordingly.

MOTION by Coughlan to RECOMMEND that the determination be made that a portion of this site consists of a marina; seconded by Kapler.

Assistant City Manager-Special Projects Manager Bruce Selfon was qualified and accepted by the Board as an expert in planning matters. He testified that a portion of the project had marina uses, but that the entire project should not be considered a marina. He recommended that staff and the petitioner collaborate, expressing the view that a path forward existed in which the City could apply a blended proportional rate based on the amount of square footage utilized as a marina. Attorney Saunders requested a continuance to work with staff, and Chair Coughlan withdrew his original motion. The following motion was then proffered.

MOTION by Coughlan to CONTINUE Item 7.D until the November 12, 2025 meeting; seconded by Mair and unanimously carried, all Members present and voting (Fowler-yes, Kapler-yes, Schultz-yes, Barone-yes, Crees-yes, Mair-yes, Coughlan-yes).

[Staff Memorandum](#)

[Viceroy Administrative Appeal Application](#)

[22-SP8 RAI Letter 7-14-2025](#)

[SUB 5- SITE PLAN RESPONSE LETTER](#)

[SUB 5- REV ARCHITECTURAL PLANS](#)

[SUB 4-REV OPERATING PLAN](#)

[Underground Parking Opinion - Vose 9-13-2023](#)

[Credentials - Planning Department](#)

[Public Mailing Addresses](#)

[Noticing Statement 25-AA2](#)

[Staff Report](#)

[Resolution](#)

[Presentation \(Petitioner Added Attachment\)](#)

Recess from 11:00 a.m. to 11:15 a.m. It is noted for the record that the same Board Members were present when the meeting reconvened.

8) Comprehensive Plan Update

8.A) Update on Naples 2045: the elective changes to the City of Naples Comprehensive Plan.

Planning Director Erica Martin introduced the item, noting that the Naples 2045 Project team was present to provide an update and submitted samples of surveys they had used in other communities, as previously requested.

Laura DeJohn, Director of Planning and Landscape Architecture at Johnson Engineering, informed the Board that the goal for the update was to provide information regarding the Public Involvement Phase and get feedback regarding the workshop itinerary document, noting that the team would be presenting to City Council on October 13th. She then introduced the team: Christina Fisher, Principal at Johnson Engineering; Leigh Anne King, Director at Clarion; and Erin Deady, Attorney and expert in resiliency at Deady Law, and Brianna Smith, Public Information Officer at CMA Outreach.

Ms. Fisher utilized an electronic presentation to provide an overview of the Project schedule and informed the Board that the website was updated to include a “help” button at the Board’s request. Leigh Anne King provided an overview of key findings, the Current Conditions Report, and the key findings related to the Comprehensive Plan Evaluation Report. Member Mair suggested including the square footage per capita.

Responding to questions, Planning Director Martin stated that the Medical Zoning District was included in the Downtown Mixed Use Land Use, and that staff would investigate whether the beaches were included in the data. Ms. King stated that the team had not reviewed information regarding traffic counts and noise, but she could include data from the City’s Transportation Plan and the Naples Airport’s various assessments.

Attorney Deady informed the Board that she assists local communities in taking the outcomes of vulnerability and resiliency studies and integrates them into a Comprehensive Plan. She praised the City for recently completing a Vulnerability Study and completing an Adaptation Planning Process, which will be greatly beneficial to Naples 2045. Responding to questions, she expressed the view that the proposed changes will have little conflict with Senate Bill 180 and that cyber-attacks had not been factored into the resiliency efforts, but it could be if it was the will of City Council.

Ms. Smith provided an overview of the public engagement portion of Naples 2045, highlighting the public engagement meetings and their locations, contact lists, the Naples 2045 website, and online information. Member Crees expressed disappointment that the first public engagement meeting will be in November, identifying that many residents do not return to the City until January. He also noted that the times of the meetings will be during the day when working residents may not be able to attend. Member Schultz expressed his dissatisfaction with using the Presidents’ Council to disseminate information, noting that not all Homeowner Associations are represented.

Discussion ensued regarding the schedule, having the first public engagement meeting in November, and concerns of special interest groups hijacking the meetings. Member Schultz then made a motion to hold all public engagement meetings in January, February, and March 2025; and it was seconded by Member Crees.

MOTION by Schultz to RECOMMEND holding all public engagement meetings between January and March 2026; seconded by Crees.

Member Mair suggested using voter turnout data from past elections to estimate the percentage of residents likely to participate in the public engagement meetings, providing an empirical basis for measuring the meetings’ success.

Chair Coughlan requested that the motion be amended to include a request to have the consultants provide a percentage by which they will measure success. The mover and seconder agreed to the amendment.

MOTION by Schultz to RECOMMEND holding all public engagement meetings between January and March 2026, and to request the consultants provide a percentage by which they will measure success; seconded by Crees and unanimously carried, all Members present and voting (Barone-yes, Crees-yes, Fowler-yes, Kapler-yes, Mair-yes, Schultz-yes, Coughlan-yes).

Ms. Fisher then overviewed how the public engagement meetings would be structured and provided information on data collection software called Mentimeter. Member Mair suggested removing survey questions that would not be beneficial to the Comprehensive Plan or provide irrelevant information, such as age groups.

Regarding the question of whether Members could attend and participate in the public engagement meetings, Assistant City Attorney Andrew Dickman stated that the meeting notices will provide a disclaimer to the effect that more than one Board Member and/or Elected Official may be present, so Members could attend and participate, but cautioned about having discussions among each other. Assistant City Attorney Dickman also stated that the meetings are open to the public; therefore, attendees cannot be restricted to only residents. Member Fowler then provided an overview of his written comments related to the Comprehensive Plan.

[Staff Memorandum](#)

[Naples 2045 Update- Presentation](#)

[Naples 2045 1st Round Community Workshop Itinerary - DRAFT](#)

[Naples 2045 Community Workshop Invite - DRAFT](#)

[Naples 2045 Comp Plan Eval Summary Report](#)

[Naples 2045 Current Conditions Report](#)

[Naples 2045 Questionnaire - DRAFT](#)

[Example Survey Questions from Consultant Team](#)

[Presentation \(Contractor Added Attachment\)](#)

[Fowler Handout \(Fowler Added Attachment\)](#)

9) Traffic Study Update

9.A) Traffic Study Update from the Public Works Department.

Planning Director Erica Martin referred Members to the Traffic Study Update provided by Deputy City Engineer Alison Bickett, which was included in the Agenda Packet.

Member Fowler stated that the Traffic Study Update presentation and draft report referenced in the memo should be presented to the Board and requested that all future Traffic Study Update presentations be brought before the Board prior to City Council, to allow members the opportunity to provide feedback.

[Traffic Study Update 10-08-2025 PAB](#)

10) Public Comment

None.

11) Correspondence and Communication

Member Crees expressed the view that Item 7.B should not have been brought to the Planning Advisory Board, noting that the compromise could have been made before the hearing. Chair Coughlan recalled comments made by the petitioner regarding the difficulty of having projects approved and asked that Members consider ideas to make the process more efficient.

Regarding the Comprehensive Plan, Member Mair stated that he wanted the Board to take its time to ensure the amendments were properly vetted. He envisioned updating the comprehensive Plan to allow the City to proactively seek developer input and proposals for future projects, rather than relying on developers to initiate petitions for development. Member Mair then informed the Board that he provided information regarding Building Information Modeling (BIM) to staff, as requested at a prior meeting.

Assistant City Attorney Andrew Dickman responded to Member Schultz's questions, stating that although the Board recommended changing the schedule for the Comprehensive Plan Update engagement meetings, there would be a cost associated with doing so, and only the City Council

could approve any changes. Planning Director Erica Martin informed the Board that the comments made and the motion on that day would be included in the Agenda Memorandum, and Member Fowler's written comments would be included in the Planning Advisory Board's meeting record.

Assistant Attorney Dickman informed the Board that Members can speak to individual Council Members but cannot speak on behalf of the Board and requested that Members allow staff to communicate the meeting's results to City Council using the appropriate process.

12) Adjourn

1:04 p.m.

Patrick Coughlan, Chair

Patricia L. Rambosk, City Clerk

Minutes prepared by:

Ali Duran, Executive Assistant

Minutes Approved: 11/12/2025.