

February 19, 2020

MINUTES OF THE COLLIER COUNTY DEVELOPMENT SERVICES ADVISORY COMMITTEE
LAND DEVELOPMENT REVIEW
SUBCOMMITTEE

Naples, Florida, February 19, 2020

LET IT BE REMEMBERED, the Collier County Development Services Advisory Committee – Land Development Review Subcommittee in and for the County of Collier, having conducted business herein, met on this date at 2:00 P.M. in a REGULAR SESSION at the Growth Management Department Building, Room 609/610 2800 N. Horseshoe Drive, Naples, FL with the following persons present:

Chairman: Clay Brooker
Blair Foley
Robert Mulhere (Excused)
Jeff Curl
Mark McLean

ALSO PRESENT: Jeremy Frantz, LDC Manager
Ellen Summers, Senior Planner
Richard Henderlong, Principal Planner
Eric Johnson, Principal Planner

Any persons in need of the verbatim record of the meeting may request a copy of the audio recording from the Collier County Growth Management Division – Planning and Regulation building.

1. Call to order

Chairman Brooker called the meeting to order at 2:00 p.m. and a quorum was established. He noted the purpose of the meeting will be to continue review of the proposed amendment as presented by Staff.

Mr. Johnson reported the comments from the Subcommittee will be incorporated into the document. The proposed amendment will be returned to the Subcommittee for final approval once all the reviews have been completed and a new draft developed.

2. Approve agenda

Mr. Foley moved to approve the Agenda. Second by Mr. McLean. Carried unanimously 4 – 0.

3. Old Business

a. Golden Gate Parkway Overlay District (GGPOD)

LDC Sections to be Amended: 1.08.01 Abbreviations DSAC-LDR 12-17-2019
2.03.07 Overlay Zoning Districts
2.05.01 Density Standards and Housing Types
4.02.26 Golden Gate Parkway Activity Center Overlay (GGPACO) Building, Development, and Site Design Standards
4.02.37 Design Standards for Development in the Golden Gate Downtown Center Commercial Overlay District (GGDCCO)
5.05.01 Businesses Serving Alcoholic Beverages
5.06.02 Development Standards for Signs within Residential Districts
10.03.06 Public Notice and Required Hearings for Land Use Petitions

Section 4.02.26 B.2.h.ii – The Subcommittee expressed concern on allowing lighting 20 feet in height on top of a parking structure as the light may spill onto adjacent properties *They recommended the maximum height be retained but the pole be placed a minimum distance from the perimeter of the structure of 2 times the height of the pole.*

Section 4.02.26 B.3.a – The Subcommittee expressed concern on the minimum 5-foot wide buffer for planting of vegetation. The requirement may not allow room for a sustainable planting or be too narrow in width for planting of trees which may disturb roadways, walkways, etc. proposed for the area. – *Staff to consult on the issue and determine if new language should be developed for the Section.*

Section 4.02.26 B.3.b – strike the language “Where the parking structure is attached to the building or adjacent to a preserve area, and the preserve area meets the otherwise required landscaping, no additional landscaping is required.”

Section 4.02.26 B.2.c – to read “Off street parking lot and vehicular use *area* landscaping shall...”

Speaker

Roylan Reyes, Here We Grow Daycare addressed the Subcommittee noting they have an existing business in the overlay and are expanding their parking areas. He expressed concern on the concept of requiring parking at the rear of buildings given it may not suit operational and security/safety aspects of a business. The area is currently comprised of a certain type of development and it is too late to try to change the nature of the area. Additionally, the goal appears to be to re-develop a 5th Ave or Bayshore style neighborhood, which is not feasible given the existing nature of the area.

Chairman Brooker noted the amendment is being developed at the direction of the Board of County Commissioners with Staff noting a deviation for the design criteria may be requested by the landowner. Public input was derived during the process of amending the Golden Gate Area Master Plan with many residents favoring the concepts.

Other Subcommittee Members noted consideration should be given on how to best address those businesses that do not fit the vision of the neighborhood given many of them are now operating in the proposed overlay.

Section 4.02.26 B.2.c.i – Same concern as cited in comments for Section 4.02.26 B.3.a regarding the 5-foot width of the planting area.

Section 4.02.26 B.2.c.ii – Concern on allowing street walls for aesthetic reasons and whether consideration would be given to allowing murals as in the Bayshore CRA – *Staff to review, noting murals are allowed in the Bayshore area as there is an arts district incorporated into the neighborhood, a use not intended for this area.*

Section 4.02.26 B.4 - line 4 to read “following provisions **shall apply** to all wall, awning, ground ...”

Section 4.02.26 B.4.c – line 2 to read “developments shall be provided for as follows; **subject to the following provisions:**”

Section 4.02.26 B.4.d – Discussion occurred noting business plaques appear to only be allowed for multi/occupancy or multi tenant uses with no reference to a sole use structure. Consideration should be given to allowing these businesses to display the plaque – *Staff to review including reviewing any requirements for the sign code and propose additional language if necessary.*

Section 4.02.26 B.4.d- line 3 - 4 to read for clarity “...the sign area **shall not exceed** eight square feet.”

Section 4.02.26 B.5 – strike the wording in line 2 “**for projects within the GGPOD**”

Section 4.02.26 B.6.b – Discussion occurred on allowing certain treatments to count towards the percent of open space required and the term structured open spaces. Additionally, the building coverage is allowed at 100 percent of the lot area and the language may be conflicting - *Staff reported the language is intended to allow creativity and flexibility for treating open space and will review the language and clarify the requirements if necessary.*

Section 4.02.26 B.7 – delete the term “Enhanced” as it may lead to confusion by users and simply cite “**Internal Sidewalks.**”

Section 4.02.26 B.8.c – Discussion occurred on the rationale for allowing lighting at lot lines to exceed 0 footcandles (allowed up to 0.5 as currently proposed). Concern on neighbor impacts, complaints and potential lawsuits regarding the lighting – *Staff to review the language and propose any changes if necessary.*

Section 4.02.26 B.9.b.i and ii. – Discussion occurred on the section and the impacts on the overall nature of the building construction as currently proposed including:

- The required distance between the finished floor and ceiling for the first floor.
- The term ceiling needs to be further clarified as above ceilings before the second floor there is additional space for mechanical or lighting features.
- The overall elevation of the structure given there may be flood elevation requirements in the area, requiring a BFE +1 (Base Flood Elevation) for the first floor.
- Would a sidewalk, which begins at grade and rises up along the frontage and returns to grade to meet the buildings elevation requirements, be allowed?
- Clarifying the second story setback from facades and what is restricted in the setback area such as the roof overhang, balconies stairwells, railings, awnings, etc.

Staff noted:

- A determination should be made on the current (or newly proposed) BFE for the area so any necessary standards may be developed.
- Parties should be aware uses in the overlay will not be subject to the requirements of Section 5.05.08 – Architectural Standards.
- They will review the Section and propose new language as necessary.

Section 4.02.26 B.10.a – Discussion occurred on the requirements to provide areas for bus stop loading/unloading, etc. and the installation of landing pads, bicycle storage racks, signage, etc. - *It was recommended these areas be allowed in the calculation for open space requirements as discussed under Section 4.02.26 B.6.b.*

Section 4.02.26 B.11.a – Staff to define the term “*street trees.*”

Section 4.02.26 B.11.a – Staff introduced new language on the requirements for utilities based on conversations with the Public Utilities Department.

Discussion occurred noting the language may be too restrictive and lead to conflicts in the field for existing or proposed infrastructure. It would be more advisable to ensure the language is “recommended standards” accompanied by a cross section example for the user – *Staff to review the issue including consulting with representatives of the Public Utilities Department and report back to the Subcommittee.*

Section 4.02.26 C.iii – Discussion occurred on the parking requirements and concern the standards may not provide for adequate onsite parking and lead to issues in the future such as businesses not being able to expand. It was noted the concept is to reduce vehicle use in the area and allow for a walkable neighborhood- *Staff to review the proposed requirement including the 3 spaces per 1,000 sq. ft. of restaurant space.*

Section 4.02.26 C.2.e – *Staff to clarify the intent of the Section regarding permission for valet parking.*

Section 4.02.26 D.8 - Discussion occurred on the definition of toxic or noxious matter. Concern was expressed the term was too vague. *Staff to review language to determine if it is necessary to include it in the Section.*

Section 4.02.26 D.9 – Concern certain commercial uses may require use of flammable or explosive matter - *The Subcommittee recommended relying on the National Fire Prevention Association regulations to address any uses and/or reference the Code in the Section.*

Section 4.02.26 E.1 – line 3 – 4 – delete the language “*A deviation request may be reviewed administratively or by the Office of the Hearing Examiner.*”

Section 4.02.26 E.1.a-e – Reference the category heading for the LDC Sections cited so that the user does not have to refer back to the LDC to determine, if they are applicable to their situation.

4. New Business

None

5. Public comments

None

6. Next meeting date

TBD

There being no further business for the good of the County, the meeting was adjourned by the order of the Chair at 5:07 P.M.

**COLLIER COUNTY DEVELOPMENT SERVICES
ADVISORY COMMITTEE - LAND DEVELOPMENT
REVIEW SUBCOMMITTEE**

Clay Brooker

Clay Brooker, Chairman

These Minutes were approved by the Committee on _____, as presented _____, or as amended _____.